

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 10 NUMBER 35

Washington, Saturday, February 17, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[D. E. P. Q.—Q. 48]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE

Introductory note. The quarantine and regulations are revised principally for the purpose of bringing within the regulated area certain election districts in Allegany and Charles Counties, Md., the city of Olean in Cattaraugus County, N. Y., the cities of Ashtabula, Conneaut, and Marquette, Ohio, and Washington township in Lucas County, Ohio. The heavily infested area is extended to include additional townships in 6 Pennsylvania counties, all of Nassau County, N. Y., and the towns of Babylon and Huntington in Suffolk County, N. Y.

The Secretary of Agriculture has determined that it is necessary further to revise the Japanese beetle quarantine and regulations, as revised effective March 30, 1944, in order to extend the regulated area and the heavily infested area and to make other minor modifications. The quarantine and regulations are therefore hereby revised to read as follows:

SUBPART—JAPANESE BEETLE

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AUTHORITY: §§ 301.48 to 301.48-11, inclusive, are issued under section 8 of the Plant

Quarantine Act of August 20, 1912, as amended, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161.

SUBPART—JAPANESE BEETLE

§ 301.48 *Notice of quarantine.* The Secretary of Agriculture having given the public hearing required by law, quarantines the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia, to prevent the spread of the Japanese beetle. Hereafter, (a) earth, soil, compost, and decomposed manure; (b) forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes; (c) cut flowers; and (d) fresh fruits and vegetables, shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined States or District into or through any other State or Territory of the United States in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided*, That the requirements of this quarantine and of the rules and regulations supplemental hereto may be limited to the areas in a quarantined State now, or which may hereafter be, designated by the Secretary of Agriculture as regulated areas, when in the judgment of the Secretary of Agriculture, the enforcement of the aforesaid rules and regulations as to such regulated areas shall be adequate to prevent the spread of the Japanese beetle, except that any such limitation shall be conditioned upon the affected State or States providing for and enforcing the control of the intrastate movement of the regulated articles under the conditions which apply to their interstate movement under provisions of the Federal quarantine regulations, currently existing, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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Agriculture, shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestation: *Provided further* That whenever in any year the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the requirements contained in any such regulations, he shall set forth and publish such finding in administrative instructions specifying the manner in which the applicable regulation should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof or for such article or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

§ 301.48-1 *Definitions.* For the purpose of the regulations in this subpart the following words, names, and terms shall be construed, respectively, to mean:

(a) *Japanese beetle.* The insect known as the Japanese beetle (*Popillia japonica Newm.*) in any stage of development.

(b) *Infestation.* This term refers to the presence of the Japanese beetle.

(c) *Regulated area.* Any area in a quarantined State or District which is now, or which may hereafter be, designated as such by the Secretary of Agriculture in accordance with the provisos of § 301.48 as revised.

(d) *Heavily infested area.* That portion of the regulated areas usually heavily and continuously populated with

Japanese beetles, and in which dense flights of the adult may occur.

(e) *Noninfested premises, establishments, or areas.* That portion of the regulated areas in which no infestation exists, or in the vicinity of which no infestation is known to exist under such conditions as to expose it to infestation by natural spread of beetles, as determined by an inspector.

(f) *Nursery stock.* Forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes.

(g) *Soil-free, free from soil.* Devoid of soil in quantities sufficient to harbor immature stages of the Japanese beetle.

(h) *Inspector.* An inspector of the United States Department of Agriculture.

(i) *Interstate movement.* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, directly or indirectly, from a regulated area in one State or District of the United States to a nonregulated area or a protected area in any other State or Territory.

(j) *Certificate.* A valid form evidencing compliance with the requirements of the regulations in this subpart.

(k) *Limited permit.* A valid form authorizing the movement of regulated articles to a restricted destination for limited handling, utilization, or for processing.

§ 301.48-2. *Regulated areas.* In accordance with the provisos to § 301.48, the Secretary of Agriculture designates as regulated areas the following States, District, counties, townships, cities, towns, boroughs, and districts, or parts thereof, as described:

Connecticut. The entire State.

Delaware. The entire State.

District of Columbia. The entire District.

Maine. County of York; towns of Auburn and Lewistown, in Androscoggin County; towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarborough, Standish, and cities of Portland, South Portland, Westbrook, and Windham, in Cumberland County; city of Waterville, in Kennebec County; and city of Brewer, in Penobscot County.

Maryland. The entire State except the counties of Garrett and St. Marys; and except the election districts of Orleans (No. 1), Oldtown (No. 2), and Kifer (No. 33), in Allegany County; and election districts of Hill Top (No. 2), Cross Roads (No. 3), Allens Fresh (No. 4), Harris Lot (No. 5), Bryantown (No. 8), and Marbury (No. 10), in Charles County.

Massachusetts. The entire State.

New Hampshire. Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield, Eaton, Eppingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tiltonboro, Wakefield, and Wolfeboro, in Carroll County; towns of Alexandria, Ashland, Bridgewater, Bristol, Canaan, Rochester, Enfield, Grafton, Groton, Hanover, Lebanon, Holderness, Lebanon, Lyme, Orange, and Plymouth, in Grafton County.

New Jersey. The entire State.

New York. Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Put-

nam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington, and Westchester; towns of Red House and Salamanca, and cities of Olean and Salamanca, in Cattaraugus County; city of Auburn and towns of Fleming, Owasco, and Sennett, in Cayuga County; towns of Amherst, Cheektowaga, and Tonawanda, and cities of Buffalo and Lackawanna, in Erie County; towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuyler, Stark, Warren, and Winfield, and city of Little Falls, in Herkimer County; town of Watertown and city of Watertown, in Jefferson County; town of Mount Morris and village of Mount Morris, in Livingston County; city of Rochester, towns of Brighton and Pittsford, and village of East Rochester, in Monroe County; town of Manchester, in Ontario County; cities of Fulton and Oswego, in Oswego County; towns of Catherine, Cayuta, Dix, Hector, Montour, and Reading, and borough of Watkins Glen, in Schuyler County; towns of Caton, Corning, Erwin, Hornby, and Hornellsville, and cities of Corning and Hornell, in Steuben County; towns of Caroline, Danby, Dryden, Enfield, Ithaca, Newfield, and city of Ithaca, in Tompkins County; towns of Luzerne and Queensbury and city of Glen Falls, in Warren County.

Ohio. Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; cities of Ashtabula and Conneaut in Ashtabula County; city of Coshocton, in Coshocton County; city of Columbus and villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in Franklin County; townships of Kirtland, Mentor, and Willoughby, and villages of Kirtland Hills, Lakeline, Mentor Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in Lake County; township of Newark and city of Newark, in Licking County; city of Toledo and township of Washington, in Lucas County; township of Madison and city of Mansfield, in Richland County; townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, cities of Niles and Warren, and villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in Trumbull County; and city of Marietta, in Washington County.

Pennsylvania. The entire State except the townships of Athens, Beaver, Bloomfield, Cambridge, Conneaut, Cussewago, East Fairfield, East Fallowfield, East Mead, Fairfield, Greenwood, Hayfield, North Shenango, Pine, Randolph, Richmond, Rockdale, Sadsbury, South Shenango, Spring, Steuben, Summerhill, Summit, Troy, Union, Venango, Vernon, Wayne, West Fallowfield, West Mead, West Shenango, and Woodcock, and the boroughs of Blooming Valley, Cambridge Springs, Cochranton, Conneaut Lake, Conneautville, Linesville, Saegerstown, Springboro, Townsville, Venango, and Woodcock, in Crawford County; the townships of Amity, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborcreek, Lawrence Park, LeBoeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranestown, East Springfield, Edinboro, Fairview, Girard, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford, and Wattsburg, in Erie County; townships of Deer Creek, Delaware, Fairview, French Creek, Greene, Hempfield, Lake, Mill Creek, New Vernon, Otter Creek, Perry, Pymatuning, Salem, Sandy Creek, Sandy Lake, South Pymatuning, Sugar Grove, and West Salem, and boroughs of Clarksville, Fredonia, Greenville, Jamestown, New Lebanon, Sandy Lake, Sheakleyville, and Stoneboro, in Mercer County.

Rhode Island. The entire State.

Vermont. Counties of Bennington, Rutland, Windham, and Windsor; and town of Burlington, in Chittenden County.

Virginia. Counties of Accomac, Arlington, Culpeper, Elizabeth City, Fairfax, Fauquier, Henrico, Loudoun, Norfolk, Northampton, Prince William, Princess Anne, and Stafford; magisterial districts of Bermuda, Dale, Manchester, and Mateaca, in Chesterfield County; town of Emporia, in Greensville County; town of West Point, in King William County; magisterial district of Sleepy Hole, in Nanamoud County; village of Schoolfield in Pittsylvania County; town of Pulaski, in Pulaski County; magisterial districts of Hampton, Jackson, and Wakefield, in Rappahannock County; magisterial district of Courtland, in Spotsylvania County; town of Front Royal, in Warren County; magisterial district of Newport, in Warwick County; magisterial district of Washington, in Westmoreland County; and cities of Alexandria, Charlottesville, Danville, Fredericksburg, Hampton, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, South Norfolk, Suffolk, and Winchester.

West Virginia. Counties of Barbour, Brooke, Hancock, Harrison, Jefferson, Lewis, Marion, Monongalia, Ohio, Taylor, and Upshur; magisterial districts of Arden, Falling Waters, Hedgesville, and Opaqueon and city of Martinsburg, in Berkeley County; magisterial districts of Charleston, Elk, Loudon, and Malden, city of Charleston, and town of South Charleston, in Kanawha County; magisterial districts of Sand Hill, Union, Washington, and Webster, in Marshall County; city of Princeton, in Mercer County; town of Keyser and magisterial district of Frankfort, in Mineral County; town of Rowlesburg, in Preston County; city of Hinton, in Summers County; magisterial district of Lincoln, in Tyler County; town of Paden City, in Tyler and Wetzel Counties; cities of Parkersburg and Williamstown and magisterial districts of Lubeck and Tygart, in Wood County.

§ 301.48-3 Heavily infested area.

Delaware. The entire State.

District of Columbia. The entire District.

Maryland. Counties of Baltimore, Caroline, Cecil, Dorchester, Harford, Kent, Queen Annes, Somerset, Talbot, Wicomico, and Worcester; election districts Nos. 3, 4, and 5, in Ann Arundel County; city of Baltimore, election districts of Elk Ridge (No. 1), and Ellicott City (No. 2), in Howard County.

New Jersey. Counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union; townships of Boonton, Chatham, Chester, Danville, East Hanover, Hanover, Harding, Mendham, Montville, Morris, Morristown, Parsippany-Troy Hills, Passaic, Randolph, and Washington, town of Boonton, and boroughs of Chatham, Florham Park, Lincoln Park, Madison, Mendham, Morris Plains, and Mountain Lakes, in Morris County; townships of Little Falls and Wayne, the cities of Clifton, Passaic, Paterson, and the boroughs of Haledon, Hawthorne, North Haledon, Prospect Park, Totowa, and West Paterson, in Passaic County; townships of Allamuchy, Franklin, Greenwich, Hackettstown, Independence, Lopatcong, Mansfield, Phillipsburg, Pohatcong, and Washington, and boroughs of Alpha and Washington, in Warren County.

New York. Nassau County; and towns of Babylon and Huntington, in Suffolk County.

Pennsylvania. Counties of Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia; all of Berks County except the townships of Bethel, Jefferson, Upper Bern, and Upper Tulpehocken, and borough of Strausstown; townships of East Pennsboro, Hampden, Lower Allen, Middlesex, Monroe, Silver Spring, South Middleton, and Upper Allen, and boroughs of Camp Hill, Lemoyne, Mechanicsburg, Mount Holly Springs, New Cumberland, West Fairview, and Warmleys-

burg, in Cumberland County; townships of Conewago, Derry, Londonderry, Lower Paxton, Lower Swatara, Susquehanna, and Swatara, the city of Harrisburg, and the boroughs of Highspire, Middletown, Paxtang, Penbrook, Royaltown, and Steelton, in Dauphin County; all of Lebanon County except the townships of Bethel, Cold Spring, East Hanover, North Annville, North Lebanon, Swatara, Union, and West Lebanon, the city of Lebanon, and the boroughs of Cleona, Jonestown, and Lebanon; all of Lehigh County except the townships of Heidelberg and Washington, and borough of Slatington; all of Northampton County except the townships of Bushkill, Lehigh, Moore, Plainfield, Upper Mount Bethel, and Washington, and boroughs of Bangor, Chapman, East Bangor, Fan Argyll, Portland, Rozeto, Stockertown, Walnutport, and Wind Gap; and all of York County except the townships of Carroll, Dover, Franklin, Heidelberg, Manheim, Monaghan, Paradise, Penn, Warrington, Washington, and West Manheim, and boroughs of Dillsburg, Dover, Franklintown, Hanover, and Wellsboro.

Virginia. Counties of Accomac, Arlington, and Northampton; magisterial district of Tanners Creek, in Norfolk County, and magisterial district of Kempsville, in Princess Anne County.

§ 301.48-4 Regulated articles—(a) Movement from all regulated areas. Unless exempted by administrative instructions and except as hereinafter provided, the interstate movement of the following articles from regulated areas to points outside thereof is controlled by the regulations in this subpart.

(1) Earth, soil, compost, and decomposed manure of any kind moved independent of or in connection with nursery stock or any other articles or things, except that gravel, sand, greensand marl, and clay originating from pits, mines, or deposits, and that compost, humus, and decomposed manure when dehydrated, ground, pulverized, or compressed, are exempt from the requirements of this quarantine.

(2) Nursery stock.

(b) Movement from heavily infested areas. Unless exempted by administrative instructions the interstate movement, either on direct billing, diversion, or reconignment, from the heavily infested areas to points outside the regulated areas, of the products named in subparagraphs (1) and (2) of this paragraph, is controlled each summer during the period of heavy flight of the beetle, the dates of the beginning and cessation of which shall be based on seasonal observation of the emergence and disappearance of the adult beetles and shall be as designated in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine: *Provided*, That identical requirements shall also apply to the interstate movement of the products from the heavily infested areas to such isolated, lightly infested, regulated areas as may be designated from year to year in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine when it has been determined by him that such areas should be so protected.

(1) Unprocessed, fresh, cut flowers when moved in bulk direct from the field or greenhouse where grown, or from a distributor.

(2) Fresh fruits and vegetables of all kinds when shipped by refrigerator car or motortruck only.

§ 301.48-5 Conditions governing interstate movement of regulated articles—

(a) *Certification.* Except as provided herein, or in subsequent administrative instructions, articles designated in § 301.48-4 shall not be moved interstate from the respective areas as specified therein (paragraphs (a) and (b)) to points outside the regulated areas, unless a certificate or permit shall have been issued therefor in compliance with the regulations in this subpart.

(b) *Safeguards against reinfestation.* Subsequent to certification, as provided in the foregoing paragraph, the regulated articles must be loaded, handled, and shipped under such protection and safeguards against reinfestation as are required by the inspector.

(c) *Marking.* Every container of articles, the interstate movement of which is controlled as provided in § 301.48-4, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment, and shall have securely attached to the outside thereof a valid certificate or permit issued in compliance with the regulations in this subpart: *Provided, That* (1) in the case of lot freight shipments other than by road vehicle, a certificate attached to one of the containers and another certificate attached to the waybill will be sufficient, and carlot freight or express shipments, either in containers or in bulk, require a certificate attached to the waybill and shall also have attached to the outside of the car a placard showing the number of the certificate accompanying the waybill; (2) in the case of shipment by road vehicle, the certificate shall accompany the shipment and shall be surrendered to the consignee upon delivery of the shipment.

(d) *Articles originating outside the regulated area.* No certificates are required for the interstate movement of regulated articles originating outside the regulated areas and moving through or reshipped from a regulated area, when the point of origin is clearly indicated, when the identity has been maintained, and when the articles are safeguarded against infestation while in the regulated areas.

§ 301.48-6 Conditions governing the issuance of certificates and permits—

(a) *Certification of earth, soil, compost, and decomposed manure.* Certificates may be issued for the interstate movement of these products under any one of the following conditions:

(1) When they have originated on noninfested premises, establishments, or areas. (See § 301.48-1 *Definitions.*)

(2) When the soil has been removed, under the observation of the inspector, from a depth of more than 12 inches below the surface of the ground.

(3) When the soil, compost, or decomposed manure has been fumigated, sterilized, or treated under the observation of an inspector by methods authorized in administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine; or when, in the

judgment of the inspector, they have been handled or processed in a manner to free them from infestation.

(b) *Certification of nursery stock.* Certificates may be issued for the interstate movement of nursery stock under any one of the following conditions:

(1) When the soil about the roots of the plants has been treated, sterilized, or fumigated under the observation of an inspector and in accordance with methods authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine.

(2) When the plants have been made soil-free.

(3) When the nursery stock originated on noninfested premises, establishments, or areas. (See § 301.48-1 *Definitions.*)

(4) When the nursery stock has been produced under protected conditions in greenhouses, potting beds, heeling-in areas, hotbeds, coldframes, and similar plots, in the infested area, in which the ventilators, doors, and all other openings have been kept screened to the inspector's satisfaction during such periods as he may designate:

Provided, That in order to maintain an infestation-free status under paragraph (b) (3) and (4) of this section, the operator of the establishment must restrict all receipts of nursery stock and other regulated articles from points within the regulated areas to articles certified. The operator must report to the inspector the source of all nursery stock and other regulated articles received on such premises and must maintain a record, accessible to the inspector, of all shipments made to points outside the regulated areas. Premises will lose their infestation-free status if there are received thereon quarantined articles from the regulated area which are not certified. Infestation-free establishments, together with their environs, will be inspected during the active adult season and their status determined on the basis of such inspections.

(c) *Certification of cut flowers.* Certificates may be issued for the interstate movement of regulated cut flowers from the heavily infested area to points outside the regulated areas, under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to adult beetle infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been fumigated under the observation of an inspector by method authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine.

(d) *Certification of fruits and vegetables.* Certificates may be issued for the interstate movement by refrigerator car or motortruck of fresh fruits and vegetables originating or loaded in or reshipped from the heavily infested area interstate to points outside the regulated areas under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to adult beetle infestation.

(2) When they have been examined by an inspector and found to be free of infestation,

(3) When they have been harvested, handled, graded, or processed in a manner, in the judgment of the inspector, to free them from infestation.

(4) When they have been fumigated under the observation of an inspector by method authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine:

Provided, That, under the first three of these conditions, the refrigerator cars or motortrucks used for transporting such fruits and vegetables shall be thoroughly swept, cleaned, or fumigated prior to loading; and shall in all cases while in the heavily infested area, be screened, covered, sealed, or otherwise protected in manner or method to safeguard the articles from infestation, as may be required by the inspector.

(e) *Limited permits.* Limited permits may be issued for the movement of non-certified regulated articles to specified destinations for processing or other handling. Persons shipping, transporting, or receiving such articles may be required to enter into written agreements to maintain such sanitation safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of regulated products and to the cleaning of cars, trucks, and other vehicles used in the transportation of such articles as may be required by the inspector.

§ 301.48-7 Assembly of articles for inspection. Persons intending to move interstate any of the regulated articles shall make application for inspection as far in advance as possible, and will be required to prepare, handle, and safeguard such materials from infestation, and to assemble them at such points as the inspector shall designate, placing them so that inspection may be readily made. All costs including storage, transportation, and labor incident to inspection, other than the services of the inspector, shall be paid by the shipper.

§ 301.48-8 Cancellation of certificates or permits. Certificates or permits issued under the regulations in the subpart may be withdrawn or canceled by the inspector and further certification refused whenever the further use of such certificates or permits might result in the dissemination of infestation.

§ 301.48-9 Cleaning of trucks, wagons, cars, boats, and other vehicles and containers. When in the judgment of the inspector a hazard of spread of infestation is presented, thorough cleaning of trucks, wagons, cars, boats, and other vehicles and containers may be required before movement interstate to points outside of the regulated areas.

§ 301.48-10 Inspection in transit. Any car, vehicle, basket, box, or container moved interstate or offered to a common carrier for shipment interstate, which contains or which the inspector has probable cause to believe contains either infestations, infested articles, or articles the movement of which is controlled by these regulations, shall be subject to inspection by an inspector at any time or place, and when actually found to involve danger of dissemination of

Japanese beetle to uninfested localities, measures to eliminate infestation may be required as a condition of further transportation or delivery.

§ 301.48-11 *Shipments for experimental and scientific purposes.* Articles subject to requirements of the regulations in this subpart may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine.

This revision shall be effective on and after February 17, 1945, and shall on that date supersede the quarantine and regulations promulgated March 28, 1944.

Done at the city of Washington this 15th day of February, 1945. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

APPENDIX PENALTIES

The Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 1940 ed. 151), provides that no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds * * * or any other article * * * specified in the notice of quarantine * * * in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. It also provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500, or by imprisonment not exceeding 1 year, or both such fine and imprisonment, in the discretion of the court.

STATE AND FEDERAL INSPECTION

Certain of the quarantined States have promulgated or are about to promulgate quarantine regulations controlling intrastate movement supplemental to the Federal quarantine. These State regulations are enforced in cooperation with the Federal authorities. Copies of either the Federal or State quarantine orders may be obtained by addressing the United States Department of Agriculture, 503 Main Street, East Orange, N. J.

Subsidiary offices are maintained at the following locations:

Connecticut: Agricultural Experiment Station, 123 Huntington Street, New Haven, Conn.

Maryland: 2 Sherwood Avenue, Pikesville 8, Md. Room 205, New Post Office Building, Main Street, Salisbury, Md.

Massachusetts: 144 Moody Street, Waltham 54, Mass.

New Jersey: Kotler Building, Main and High Streets, Glassboro, N. J., P. O. Box 1, Trenton 1, N. J., or 3179 South Broad Street, White Horse, N. J.

New York: Room 840-A, 641 Washington Street, New York 14, N. Y., P. O. Box 1083 or 247 Clinton Avenue, Kingston, N. Y.

Ohio: 21065 Euclid Avenue, Euclid 17, Ohio.
Pennsylvania: 6805 Terrace Avenue, Philadelphia 35, Pa., P. O. Box 6094, North Side Post Office Building, Pittsburgh 12, Pa.
Virginia: Room 283, Brokers' Exchange Building, 264 West Tazewell Street, Norfolk, Va., 505 W. Franklin Street or P. O. Box 5371, Richmond 20, Va.

Arrangements may be made for inspection and certification of shipments from the District of Columbia by calling Republic 4142, branch 2593, inspection house of the Bureau of Entomology and Plant Quarantine, 221 Twelfth Street, SW., Washington, D. C.

GENERAL OFFICES OF STATES COOPERATING

Department of Entomology, Agricultural Experiment Station, New Haven 4, Conn.

Board of Agriculture, Newark, Del.

State horticulturist, Augusta, Maine.

Department of Entomology, University of Maryland, College Park, Md.

Division of Plant Pest Control and Fairs, Department of Agriculture, Statehouse, Boston 33, Mass.

Deputy commissioner, Department of Agriculture, Durham, N. H.

Bureau of Plant Industry, Department of Agriculture, Trenton 8, N. J.

Bureau of Plant Industry, Department of Agriculture and Markets, Albany 1, N. Y.

Division of Plant Industry, Department of Agriculture, Columbus 15, Ohio.

Bureau of Plant Industry, Department of Agriculture, Harrisburg, Pa.

Division of Entomology and Plant Industry, Department of Agriculture, Statehouse, Providence 2, R. I.

Division of Plant Pest Control, Department of Agriculture, Montpelier, Vt.

Division of Plant Industry, Department of Agriculture and Immigration, Richmond 19, Va.

State entomologist, Department of Agriculture, Charleston 5, W. Va.

[F. R. Doc. 45-2619; Filed, Feb. 16, 1945; 11:19 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-3, Amdt. 7]

PART 1410—LIVESTOCK AND MEATS

PORK AND PORK PRODUCTS REQUIRED TO BE SET ASIDE

War Food Order No. 75-3, as amended (9 F.R. 12948, 14272, 10 F.R. 726, 773) is further amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity; quality; specifications.* No Class 1 slaughterer shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers:

(1) A quantity of frozen pork sides or cured Wiltshire sides, the total weight of which shall be not less than 4.5 percent of the total live weight of each week's slaughter of hogs, and which shall be prepared as frozen pork sides weighing not less than 48 pounds nor more than 100 pounds or as cured Wiltshire sides which comply with the specifications as set out in Schedule FSCC-10 (Meat Products Purchase Specifications). Such frozen pork sides and cured Wiltshire sides shall be delivered to Commodity Credit Corporation;

(2) A quantity of loins the total weight of which shall be not less than 4.5 percent of the total live weight of each

week's slaughter of hogs, to be prepared so as to conform, in weight and quality, to specifications of the Government agencies to which they will be delivered. Not less than 70 percent of the total weight of all loins so set aside shall be converted to semi-boneless (partially boneless) loins;

(3) A quantity of hams the total weight of which shall be not less than 5 percent of the total live weight of each week's slaughter of hogs, to be prepared so as to conform, in weight and quality, to the specifications of the governmental agencies to which they will be delivered. Not less than 30 percent of such hams shall be processed into overseas hams requiring 96 hours' smoke, and not less than 10 percent of such hams shall be processed into Army hams requiring 48 hours' smoke;

(4) A quantity of square-cut and seedless bellies the total weight of which shall be not less than 5 percent of the total live weight of each week's slaughter of hogs, to be prepared from bellies which, when trimmed in accordance with the best commercial practice, produce square-cut and seedless bellies which fall within a weight range of not less than 6 pounds nor more than 20 pounds. Not less than 30 percent of such bellies shall be processed into overseas bacon requiring 96 hours' smoke, and not less than 10 percent of such bellies shall be processed into Army bacon requiring 48 hours' smoke;

(5) A quantity of shoulders and boneless manufacturing pork the total weight of which shall be not less than 9 percent of the total live weight of each week's slaughter of hogs, to be prepared in the form of skinned shoulders, picnics, Boston butts, or manufacturing pork including trimmings;

(6) A quantity of salted fat cuts (American cut bellies, fat backs, plates, and jowls) the total weight of which shall be not less than 2.5 percent of the total live weight of each week's slaughter of hogs. Such salted fat cuts shall be delivered to Commodity Credit Corporation; and

(7) A quantity of lard the total weight of which shall be not less than 7.5 percent of the total live weight of each week's slaughter of hogs.

This order shall become effective at 12:01 a. m., e. w. t., February 18, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal. (E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 2807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 15th day of February 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-2602; Filed, Feb. 15, 1945; 3:43 p. m.]

[WFO 4-8, Amdt. 2]

PART 1450—TOBACCO

1944 CROP BURLEY TOBACCO

Pursuant to War Food Order No. 4 (8 F.R. 335) issued on January 7, 1943, as amended (8 F.R. 828, 11331, 9 F.R. 4321, 4319, 9584, 10 F.R. 103) and to effectuate the purposes of such order, as amended, War Food Order No. 4-8 (9 F.R. 14272) issued on December 1, 1944, as amended (10 F.R. 7), relative to the 1944 crop of Burley tobacco, is further amended as follows:

1. By deleting therefrom the term "112 percent" in § 1450.14 (b) (2) and inserting, in lieu thereof, the term "120 percent."

2. By deleting therefrom the term "112 percent" in § 1450.14 (b) (4) and inserting, in lieu thereof, the term "120 percent."

This amendment shall become effective at 12:01 a. m., e. w. t., February 16, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4-8, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 4-8, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 4, 8 F.R. 335, 828, 11331, 9 F.R. 4321, 4319, 9584, 10 F.R. 103)

Issued this 15th day of February 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-2599; Filed, Feb. 15, 1945;
12:08 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

APPENDIX A—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 9389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

GERMAN, ITALIAN, AND JAPANESE CON- TROLLED TERRITORY FOREIGN FUNDS CONTROL

FEBRUARY 16, 1945.

Amendment to General Ruling No. 11 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to Foreign Funds Control.

Paragraph (4) (b) (ii) of General Ruling No. 11 is hereby amended to read as follows:

(ii) The territory controlled or occupied by the military, naval, or police

forces or other authority of Germany Italy, or Japan.

The territory so controlled or occupied shall be deemed to be the territory of Albania; Austria; Bulgaria; that portion of Burma occupied by Japan; that portion of China occupied by Japan; Czechoslovakia; Danzig; that portion of Denmark within continental Europe; French Indo-China; Greece; Hong Kong; Hungary; Luxembourg; British Malaya; that portion of the Netherlands within continental Europe; that portion of the Netherlands East Indies occupied by Japan; Norway; that portion of the Philippine Islands occupied by Japan; Rumania; Thailand; Yugoslavia; and any other territory controlled or occupied by Germany, Italy or Japan.

(Sec. 3 (a) 40 Stat. 412; sec. 5 (b) 40 Stat. 415 and 966; sec. 2, 48 Stat. 1, 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941, E.O. 9103, July 6, 1942; Regs. Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-2620; Filed, Feb. 16, 1945;
11:20 a. m.]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

NORTHERN BUKOVINA AND BESSARABIA; FOR- EIGN FUNDS CONTROL

FEBRUARY 16, 1945.

Public Circular No. 26 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to Foreign Funds Control.

Status of Northern Bukovina and Bessarabia under Executive Order No. 8389, as amended, and General Ruling No. 11, as amended. For the purposes of Executive Order No. 8389, as amended, and General Ruling No. 11, as amended, Northern Bukovina and Bessarabia shall be deemed to be subject to the jurisdiction of the Union of Socialist Soviet Republics, in accordance with the terms of the Armistice of September 12, 1944, between Rumania and the United Nations.

(Sec. 3 (a) 40 Stat. 412; sec. 5 (b) 40 Stat. 415 and 966; sec. 2, 48 Stat. 1, 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941, E.O. 9193, July 6, 1942; Regs., Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-2621; Filed, Feb. 16, 1945;
11:20 a. m.]

Chapter II—Fiscal Service, Department of the Treasury

Subchapter B—Bureau of the Public Debt

[Dept. Circ. 530, 6th Rev.]

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

FEBRUARY 13, 1945.

Department Circular No. 530, Fifth Revision, dated June 1, 1942 (31 CFR, Part 315), as amended and supplemented, is hereby further amended and issued as a Sixth Revision to read as follows:

SUBPART A—APPLICABILITY

Sec. 315.1 Applicability of regulations.

SUBPART B—REGISTRATION

315.2 General.
315.3 Restrictions.
315.4 Authorized forms of registration, Series E, and general provisions relating to their use.
315.5 Authorized forms of registration, Series F and G.
315.6 Unauthorized registration.
315.7 Forms of registration on reissue.

SUBPART C—LIMITATION ON HOLDINGS

315.8 Amount which may be held.
315.9 Calculation of amount.
315.10 Disposition of excess.

SUBPART D—LIMITATION ON TRANSFER AND JUDICIAL PROCEEDINGS

315.11 Not transferable.
315.12 Pledge with the Secretary of the Treasury or Federal Reserve Banks.
315.13 Judicial proceedings (judgment creditors, trustees in bankruptcy, receivers of insolvents' estates and conflicting claimants).
315.14 Evidence necessary.
315.15 Notice of pending proceedings not accepted.

SUBPART E—SAFEKEEPING FACILITIES

315.16 Safekeeping of bonds.

SUBPART F—LOST, STOLEN, MUTILATED, DEFACED OR DESTROYED BONDS

315.17 Relief in case of loss, etc. by owner.
315.18 Relief in case of nonreceipt.

SUBPART G—INTEREST

315.19 General.
315.20 Appreciation bonds.
315.21 Current income bonds.

SUBPART H—GENERAL PAYMENT AND REDEMPTION PROVISIONS

315.22 Payment at maturity.
315.23 Redemption before maturity.
315.24 Form and execution of requests for payment.
315.25 Certifying officers.
315.26 General instructions to certifying officers.
315.27 Interested person not to certify.
315.28 Presentation and surrender, all series.
315.29 Optional procedure limited to bonds of Series A to E, inclusive, in names of individual owners or coowners only.
315.30 Partial redemption.
315.31 Nonreceipt or loss of checks issued in payment.

SUBPART I—GENERAL REISSUE AND DENOMINA- TIONAL EXCHANGE

315.32 General.
315.33 Requests for reissue.

- Sec.
315.34 Agencies authorized to make re-issue.
315.35 Effective date.
315.36 Date of bonds on reissue.
315.37 Denominational exchange.

SUBPART J—MINORS AND PERSONS UNDER OTHER LEGAL DISABILITY

- 315.18 Payment to legal guardians.
315.39 Payment to minors.
315.40 Payment to a parent or other person on behalf of a minor.
315.41 Payment to voluntary guardian of person under disability.
315.42 Reissue in the case of a minor.

SUBPART K—SINGLE NAME; ADDITION OF COOWNER, ETC.

- 315.43 Payment or reissue.
315.44 Reissue for certain purposes.

SUBPART L—TWO NAMES; COOWNERSHIP FORM

- 315.45 Payment or reissue.

SUBPART M—TWO NAMES; BENEFICIARY FORM

- 315.46 Payment or reissue.

SUBPART N—DECEASED OWNERS

- 315.47 Payment or reissue on death of owner.

SUBPART O—FIDUCIARIES

- 315.48 Payment to fiduciaries.
315.49 Reissue in the name of a succeeding fiduciary.
315.50 Reissue or payment to person entitled.

SUBPART P—PRIVATE ORGANIZATIONS (CORPORATIONS, ASSOCIATIONS, PARTNERSHIPS, ETC.)

- 315.51 Payment to corporations or unincorporated associations.
315.52 Payment to partnerships.
315.53 Payment to other organizations (churches, hospitals, homes, schools, etc.).
315.54 Reissue in name of trustee for investment purposes.
315.55 Reissue or payment to successors of corporations, unincorporated associations or partnerships.
315.56 Reissue or payment on dissolution.

SUBPART Q—STATES, PUBLIC CORPORATIONS, AND PUBLIC BOARDS, COMMISSIONS AND OFFICERS

- 315.57 In names of States, public corporations and public boards.
315.58 In names of public officers.

SUBPART R—FURTHER PROVISIONS

- 315.59 Regulations prescribed.
315.60 Preservation of rights.
315.61 Additional proof; bond of indemnity.
315.62 Correspondence, certificates, notices and forms; presentation and surrender.
315.63 Supplements, amendments or revisions.

AUTHORITY: §§ 315.1 to 315.63, inclusive, issued under R.S. 161, 55 Stat. 7, 5 U.S.C. 22, 31 U.S.C. Sup., 757c.

SUBPART A—APPLICABILITY

§ 315.1 *Applicability of regulations.* The regulations in this part, published for the information and guidance of all concerned, apply generally to all United States Savings Bonds of all series of whatever designation and bearing any issue dates whatever, except as otherwise specifically provided herein.

SUBPART B—REGISTRATION

§ 315.2 *General.* United States Savings Bonds are issued only in registered form. The name and post office (mailing) address of the owner, as well as the name of the coowner or designated ben-

eficiary, if any, and the date as of which the bond is issued will be inscribed thereon at the time of issue by an authorized issuing agent.¹ The form of registration used must express the actual ownership of and interest in the bond and, except as otherwise specifically provided in the regulations in this part, will be considered as conclusive of such ownership and interest. The Treasury Department will recognize no notices of adverse claims to savings bonds and will enter no stoppages or caveats against payment in accordance with the registration of the bonds. No designation of an attorney, agent or other representative to request or receive payment on behalf of the owner, nor any restriction on the right of such owner to receive payment of the bond, other than as provided in these regulations, may be made in the registration or otherwise.

§ 315.3 *Restrictions.* Only residents (whether individuals or others) of the United States (which for the purposes of this section shall include the territories, insular possessions and the Canal Zone) and the Commonwealth of the Philippine Islands,² citizens of the United States temporarily residing abroad and nonresident aliens employed in the United States by the Federal Government or an agency thereof may be named as owners, coowners or designated beneficiaries of savings bonds originally issued on or after April 1, 1940, or of authorized reissues thereof, except that such persons may name as coowners or beneficiaries of their bonds American citizens permanently residing abroad or nonresident aliens who are not citizens of enemy nations. American citizens permanently residing abroad and nonresident aliens who become entitled to bonds under the regulations in this part, by right of survivorship or otherwise upon the death of another, will have the right only to receive payment either at or before maturity.³

§ 315.4 *Authorized forms of registration, Series E, and general provisions relating to their use—(a) Forms of registration.* Bonds of Series E may be registered only in the names of individuals (natural persons) whether adults or minors, in their own right in one of the following forms:

(1) *One person.* In the name of one person, for example: "John A. Jones."

(2) *Two persons; coownership form.* In the names of two (but not more than two) persons in the alternative as co-owners, for example:

John A. Jones or Mrs. Ella S. Jones.

No other form of registration establishing coownership is authorized.

¹ The date of maturity is also inscribed on savings bonds of Series A, B and D.

² Subject to the terms of Executive Order 8389, as amended, and the regulations issued thereunder. See footnote 3.

³ Under the terms of Executive Order No. 8389, as amended, and the regulations issued thereunder, bonds may not be issued or paid to nationals (as defined in said order) of blocked countries or to nationals of enemy countries, whether or not residing in the United States, unless such nationals are generally or specially licensed under the terms of the order.

(3) *Two persons; beneficiary form.* In the name of one (but not more than one) person, payable on death to one (but not more than one) other person, for example:

John A. Jones, payable on death to Miss Mary E. Jones.

"Payable on death to" may be abbreviated as "p. o. d." The first person named is hereinafter referred to as the owner or registered owner, and the second person named as the beneficiary or designated beneficiary.

(4) *Treasurer of the United States as beneficiary.* If it is desired that a bond revert to the United States upon the death of the owner, it may be registered in the name of the owner with the Treasurer of the United States as beneficiary. A bond so registered may not be reissued to eliminate the beneficiary. Section 315.46 (b) (2) with regard to reissue to eliminate a beneficiary with his written consent, shall not apply thereto.

(b) *General provisions relating to forms of registration—(1) Names and titles.* The full name of the owner and that of the coowner or beneficiary, if any, should be used and should be the name by which the person is ordinarily known or that under which he does business; if there are two given names the initial of one may be used, and if a person is habitually known or does business by initials only of his given names, registration may be in such form. In the case of women, the name should be preceded by "Miss" or "Mrs." and a married woman's own given name should be used, not that of her husband, for example, "Mrs. Mary A. Jones," not "Mrs. Frank B. Jones." The name may be preceded by any applicable title such as "Dr.," "Rev.," etc. The use of suffixes such as "Sr." and "Jr." is desirable whenever applicable. Suffixes such as "M. D." and "D. D." may also be used.

(2) *Minors.* A minor, whether or not under legal guardianship, may be named as owner, coowner, or beneficiary on bonds purchased by another person with such person's own funds. A minor may name a coowner or beneficiary on bonds purchased by him from his wages, earnings, or other money in his possession. But bonds purchased by another person with funds already belonging to a minor should be registered in the name of the minor alone, followed by an appropriate reference if the minor is under legal guardianship, as, for example, "John Smith, a minor under legal guardianship," or "John Smith, a minor under legal guardianship of Henry C. Smith."

(3) *Incompetents.* Bonds should not be registered in the name of an incompetent, who is defined for this purpose as a person under disability for reasons other than minority, unless a legal representative of his estate has been appointed. If a representative has been appointed the bonds may be registered in the name of the incompetent followed by the addition of appropriate words, for example, "Frank Jones, an incompetent under legal guardianship (or conservatorship)" or "Frank Jones, an incompetent under legal guardianship (or conservatorship) of Henry Smith."

(4) *Terms.* The terms "guardian" "legal guardian," or "legal representa-

“tive”, as used in this subpart, refer to a guardian or representative of the estate appointed by a court or otherwise legally qualified. These terms do not refer to a voluntary or natural guardian such as a parent, including a parent to whom custody of a child has been awarded through divorce proceedings or a parent by adoption through court proceedings.

§ 315.5 *Authorized forms of registration, Series F and G.* Bonds of Series F or G may be registered in the names of individuals (natural persons) in their own right as set forth in § 315.4, subject to the same conditions as therein set forth, and in the names of fiduciaries, corporations, associations and partnerships, as owners (not as coowners or beneficiaries) except as follows: (1) They may not be registered in the name of a trustee under a statute, regulation, agreement, or other instrument where the funds used represent merely security for the performance of a duty or obligation, and (2) they may be registered in the names of commercial banks, which are defined for this purpose as those accepting demand deposits, only to such extent and under such conditions as may have been or may hereafter be provided specifically in official circulars governing the offering of other Treasury securities.¹ The following forms are authorized for such registration:

(a) *Executors, administrators, guardians, etc.* In the name of one or more executors, administrators, guardians, conservators or other representatives of a single estate appointed by a court of competent jurisdiction or otherwise legally qualified, all of whose names must be included in the registration, followed by adequate identifying reference to the estate, for example:

John Smith, executor of the will (or administrator of the estate) of Henry J. Smith, deceased,

or

William G. Jones, guardian (or conservator, etc.) of the estate of James D. Brown, a minor (or an incompetent).

Bonds belonging to a trust which an executor is authorized to administer under the terms of the will, although he is not named as trustee, may be registered in accordance with the following example:

John Smith, executor of the will of Henry J. Smith, deceased, in trust for Mrs. Jane Smith, with remainder over.

If a guardian or other legal representative holds a common fund for the account of two or more estates or wards, bonds should be registered in the name of the representative for each such estate or ward separately, even though the rep-

resentative was appointed in a single proceeding. A father or mother, as such, or as natural guardian, is not considered a fiduciary for purposes of registration.

(b) *Trustees.* In the name and title of the trustee, or trustees, of a single duly constituted trust estate (which will be considered as an entity) substantially in accordance with the forms set forth in subparagraphs (1) to (5) including, unless otherwise indicated therein, an adequate identifying reference to the trust instrument or other authority creating the trust. In each instance the trustee, or all the trustees if there are more than one, should be designated by name and title except as provided in subparagraphs (3) to (5) and as follows: If the trustees are too numerous to be designated in the inscription by names and title, registration may be in the form, for example, “John Smith, Henry Jones, et al., trustees under the will of William C. Brown, deceased” or “Trustees under the will of William C. Brown, deceased”; if the instrument creating the trust authorizes the trustees to act as a board, registration may be by title only, as, for example, “Trustees of the Lotus Club, Washington, Indiana, under Article X of its constitution” or “Board of Trustees of the Lotus Club, Washington, Indiana, under Article X of its constitution.” The following forms of registration are authorized under this paragraph:

(1) *Trustee under will, deed of trust, or similar instrument.* In the name of the trustee or trustees under a will, deed of trust, agreement, or similar instrument, for example:

John C. Brown and the First National Bank, trustees under the will of Henry O. Brown, deceased,

or

The Second National Bank, trustee under an agreement with George E. White, dated February 1, 1935.

(2) *Trustees of pension, retirement, or similar fund.* In the names and title, or title alone, of trustees of a pension or retirement fund or of an investment, insurance, annuity, or similar fund or trust, but in all such cases the fund will be regarded as an entity regardless of the number of beneficiaries or the manner in which their respective interests are established or determined. Segregation of individual shares as a matter of book-keeping or as a result of individual agreements with beneficiaries or the express designation of individual shares as separate trusts will not operate to constitute separate trusts under the regulations in this part. Such trusts will not be deemed to terminate, in whole or in part, upon the death of any person, for the purpose of redemption at par under the provisions of § 315.23 (c)

(3) *Trustees or board of trustees of lodge, church, society, or similar organization.* In the title of the trustees or the board of trustees who hold in trust the legal title to the property of a lodge, church, society, or similar organization, followed preferably by reference to the appropriate provisions of its constitution or bylaws, for example:

Trustees of Jamestown Lodge No. 1000, Benevolent and Protective Order of Elks, under section 10 of its bylaws; Trustees of the

First Baptist Church, Akron, Ohio, acting as a board under Section 15 of its bylaws; or Board of Trustees of the Lotus Club, Washington, Indiana, under Article X of its constitution.

(4) *Public officers, corporations, or bodies as trustees.* In the titles of public officers or the names of public corporations or public bodies acting as trustee under express authority of law, for example:

Sinking Fund Commission, trustee of State Highway Certificates of Indebtedness Sinking Fund, under Section 5972, Code of South Carolina; or Warden, Illinois State Penitentiary, Joliet Branch, Trustee of Inmates' Amusement Fund, under Chapter 23, sections 34a and 34b, Illinois Revised Statutes 1941.

(5) *School officers as trustees for benefit of student body, etc.* In the title of a principal or other officer of a public, private or parochial school, as trustee for the benefit of the student body, or a class, group or activity thereof, for example:

Principal, Western High School, in trust for Class of 1945 Library Fund.

A written agreement of trust will not be required if the amount to be purchased does not exceed \$250 (maturity value)

(c) *Private organizations (corporations, associations, partnerships, etc.)* In the name of any private organization (for commercial banks see § 315.5), using in each case the full legal name of the organization without mention of any officer or member by name or title, but making reference, if desired, to a particular book account or fund (not a trust), as follows:

(1) *A corporation.* A business, fraternal, religious or other private corporation, followed, preferably, by the words “a corporation” (unless the fact of incorporation is shown in the name), for example:

Smith Manufacturing Company, a corporation; or Jones and Brown, Inc.

(2) *An unincorporated association.* An unincorporated lodge, society or similar self-governing association, followed, preferably, by the words “an unincorporated association”, for example, “The Lotus Club, an unincorporated association.” The terms “an unincorporated association” should not be used to describe a trust fund, a partnership or a business conducted under a trade name.

(3) *A partnership.* A partnership, considered as an entity, followed by the words “a partnership”, for example: “Smith and Brown, a partnership”, or “Acme Novelty Company, a partnership.”

(4) *Other organizations.* A church, hospital, home, school, or similar institution, regardless of the manner in which it is organized or governed or title to its property is held, for example:

Shriners' Hospital for Crippled Children, St. Louis, Missouri; St. Mary's Roman Catholic Church, Albany, New York; or Rodeph Shalom Sunday School, Philadelphia, Pennsylvania.

(d) *States and public corporations.* In the full legal name or title of the owner or custodian of public funds, other than trust funds, as follows:

¹ Examples of official circulars governing the offering of other Treasury securities and authorizing the registration of savings bonds of Series F and G in the names of commercial banks under conditions therein specified, are Treasury Department Circulars Nos. 729, 730, 740, 741, 755 and 756. The offering circular for savings bonds of Series F and G and this circular will not hereafter be amended to include any specific provisions for the registration of such bonds in the names of commercial banks, but such provisions shall have the same force and effect as if specifically incorporated in this and in the offering circular.

(1) Any sovereignty, as a State, or any public corporation, as a county, city, town or school district, for example: "State of Maine" or "Town of Rye, New York."

(2) Any board, commission or other public body duly constituted by law, for example: "Maryland State Highway Commission."

(3) Any public officer designated by title only, for example: "Treasurer, City of Chicago."

Registration may include reference to a particular bookkeeping account, if desired.

§ 315.6 Unauthorized registration. Savings bonds inscribed in a form not substantially in agreement with those authorized by this subpart will not be considered as validly issued and will be accepted only for a refund of the purchase price, except in those cases in which reissue can be made under the provisions of the regulations in this part.

§ 315.7 Forms of registration on reissue. Bonds reissued under the provisions of the regulations in this part may be issued in any form of registration permitted by the regulations in effect on the date of original issue, with respect to bonds of that series.

SUBPART C—LIMITATION ON HOLDINGS

§ 315.8 Amount which may be held. As provided by section 22 of the Second Liberty Bond Act, as added February 4, 1935 (U. S. C. 1940 Ed., title 31, section 757c) and by regulations prescribed by the Secretary of the Treasury pursuant to the authority of that section, as amended by the Public Debt Act of 1941, 55 Stat. 7, the amounts of savings bonds of the several series issued during any one calendar year that may be held by any one person at any one time are limited as follows:

(a) Series A, B, C and D—\$10,000 (maturity value) of each series for each calendar year.

(b) Series E—\$5,000 (maturity value) for each calendar year.

(c) Series F and G—\$50,000 (issue price) for the calendar year 1941, and \$100,000 (issue price) for each calendar year thereafter, of either series or of the combined aggregate of both, except that, in the case of commercial banks authorized to acquire such bonds in accordance with § 315.5, the limitation shall be such as may have been or may hereafter be provided specifically in official circulars governing the offering of other Treasury securities, but in no event in excess of \$100,000 (issue price) for any calendar year.

§ 315.9 Calculation of amount. In computing the amount of savings bonds of any one series issued during any one calendar year held by any one person at any one time for the purpose of determining whether the amount is in excess of the authorized limit as set forth in the next preceding section, the following rules shall govern:

(a) The term "person" shall mean any legal entity, including but not limited to an individual, a partnership, a corporation (public or private), an unincorporated association or a trust estate, and the holdings of each person, individually,

and in a fiduciary capacity, shall be computed separately.

(b) In the case of bonds of Series A, B, C, D and E, the computation shall be based upon maturity values. In the case of bonds of Series F and G, the computation shall be based upon issue prices.

(c) Except as provided in paragraph (d) there must be taken into account: (1) All bonds originally issued to and registered in the name of that person alone; (2) all bonds originally issued to and registered in the name of that person as coowner or reissued, at the request of the original owner, to add the name of that person as coowner or to designate him as coowner instead of as beneficiary under the provisions of this circular, except that the amount of bonds of Series E held in coownership form may be applied to the holdings of either of the coowners, but will not be applied to both, or the amount may be apportioned between them; and (3) all bonds acquired by him before March 1, 1941, upon the death of another or the happening of any other event.

(d) There need not be taken into account: (1) Bonds of which that person is merely the designated beneficiary; (2) those in which his interest is only that of a beneficiary under a trust; or (3) those to which he is entitled as surviving designated beneficiary upon the death of the registered owner, as an heir or legatee of the deceased registered owner, or by virtue of the termination of a trust or the happening of any other event, unless he became entitled to any such bonds in his own right before March 1, 1941, or (4) with respect to bonds of Series E, those purchased with the proceeds of matured bonds of Series A, where the Series A bonds were presented by an individual (natural person in his own right) owner or coowner for that purpose and the Series E bonds are registered in his name in any form of registration authorized for that series.

(e) Nothing herein contained shall be construed to invalidate any holdings within or, except as provided in paragraph (c) above, to validate any holdings in excess of, the authorized limits, as computed under the regulations in force at the time such holdings were acquired.

§ 315.10 Disposition of excess. If any person at any time acquires savings bonds issued during any one calendar year in excess of the prescribed amount, the excess must be immediately surrendered for refund of the purchase price, less (in the case of Series G bonds) any interest which may have been paid thereon, or for such other adjustment as may be possible.

SUBPART D—LIMITATION ON TRANSFER AND JUDICIAL PROCEEDINGS

§ 315.11 Not transferable. Savings bonds are not transferable and are payable only to the owners named thereon, except in case of the disability or death of the owner, authorized reissue, or as otherwise specifically provided in this subpart, but in any event only in accordance with the provisions of the regulations in this part. A savings bond may not be hypothecated or pledged as collateral for a loan or used as security

for the performance of an obligation, except as provided in § 315.12.

§ 315.12 Pledge with the Secretary of the Treasury or Federal Reserve Banks. A savings bond may be pledged by the registered owner in lieu of surety under the provisions of Department Circular No. 154, amended, if the bond approving officer is the Secretary of the Treasury, in which case an irrevocable power of attorney shall be executed authorizing the Secretary of the Treasury to request payment. A savings bond may also be deposited as security with a Federal Reserve Bank under the provisions of Department Circular No. 657 by an institution certified under that circular as an issuing agent for savings bonds of Series E.

§ 315.13 Judicial proceedings (judgment creditors, trustees in bankruptcy, receivers of insolvents' estates and conflicting claimants). A claim against an owner or coowner of a savings bond and conflicting claims as to ownership of or interest in such bond as between coowners or the registered owner and a designated beneficiary, will be recognized when established by valid judicial proceedings and payment or reissue will be made, upon presentation and surrender of the bond, except as follows:

(1) No such proceedings will be recognized if they would give effect to an attempted voluntary transfer inter vivos of the bond or would defeat or impair the rights of survivorship conferred by the regulations in this part upon a surviving coowner or beneficiary.

(2) A judgment creditor, a trustee in bankruptcy or a receiver of an insolvent's estate will have the right to payment (but not to reissue) and a judgment creditor will be limited to payment at the redemption value current thirty days after the termination of the judicial proceedings or current at the time the bond is received, whichever is smaller.

(3) If a debtor, or bankrupt, or insolvent, is not the sole owner of the bond, payment will be made only to the extent of his interest therein, which must be determined by the court or otherwise validly established.

A divorce decree ratifying or confirming a property agreement between husband and wife or otherwise settling their respective interests in savings bonds, will be recognized and will not be regarded as a proceeding giving effect to an attempted voluntary transfer for the purpose of this section.

§ 315.14 Evidence necessary. To establish the validity of judicial proceedings there must be submitted a certified copy of the judgment or decree of court and of any necessary supplementary proceedings, as well as a certificate from the clerk of the court, under the court's seal, showing that the judgment or decree is in full force and effect. A trustee in bankruptcy should submit proof of his authority in the form of a certificate from the referee showing that he is the duly elected and qualified trustee, together with a certificate from the clerk of the United States District Court of the particular district, under seal, show-

ing the incumbency of the referee and authenticating his signature.

§ 315.15 *Notice of pending proceedings not accepted.* Neither the Treasury Department nor any agency for the issue, reissue, or redemption of savings bonds will accept notices of adverse claims or of pending judicial proceedings or undertake to protect the interests of litigants who do not have possession of the bonds.

SUBPART E—SAFEKEEPING FACILITIES

§ 315.16 *Safekeeping of bonds.* A savings bond will be held in safekeeping, without charge, by the Secretary of the Treasury if the holder so desires. In such connection the Secretary will utilize the facilities of the Federal Reserve Banks, as fiscal agents of the United States,¹ and those of the Treasurer of the United States. Application forms for safekeeping may be secured from postmasters, Federal Reserve Banks or the Treasury Department.

SUBPART F—LOST, STOLEN, MUTILATED, DEFACED OR DESTROYED BONDS

§ 315.17 *Relief in case of loss, etc. by owner.* Under the provisions of sec. 3, 50 Stat. 481, as amended (U.S.C., title 31, sec. 738a) relief either by the issue of a substitute bond or by payment may be given in case of the loss, theft, destruction, mutilation or defacement of a savings bond after receipt by the owner or his representative. In any such case immediate notice of the facts, together with a complete description of the bond (including series, year of issue, serial number, and name and address of the registered owner) should be given to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois. That division will thereupon furnish an appropriate form and full instructions for presenting the evidence necessary to secure relief under the law and the regulations as contained in Department Circular No. 300, as amended. If such bond is subsequently recovered, immediate notice of such recovery should be given to the Division of Loans and Currency (at the address above) in order that delay may be avoided upon a later presentation of the bond for payment or authorized reissue.

§ 315.18 *Relief in case of nonreceipt.* If a savings bond, on original issue or on reissue, is not received from the issuing agent or agency by the registered owner or other person to whom the bond was to be delivered, the issuing agent or agency should be notified as promptly as possible and given all the information available in regard to the transaction. Appropriate instructions and forms, if necessary, will then be furnished the owner reporting nonreceipt.

SUBPART G—INTEREST

§ 315.19 *General.* United States Savings Bonds are issued in two forms: (a) Appreciation bonds, issued on a discount basis and redeemable before maturity at increasing fixed redemption values; and (b) current income bonds, bearing inter-

est payable semiannually and redeemable before maturity at fixed redemption values less than the face amount of the bond. At present Series G constitutes the only issue of current income savings bonds.

§ 315.20 *Appreciation bonds.* No interest as such is paid on savings bonds issued on a discount basis. Such bonds increase in redemption value at the end of the first year from issue date and at the end of each successive half-year period thereafter until their maturity, when the full amount becomes payable. The increment in value represents interest and is payable only on redemption of the bonds, whether at or before maturity.

§ 315.21 *Current income bonds.* Each such bond bears interest at a specified rate computed on the face amount of the bond and payable semiannually beginning six months from issue date. Except for redemption at par as provided in § 315.23 (c) of Subpart H, full advantage of interest at the rate specified may be secured only if the bonds are held to maturity; if bonds are redeemed before maturity at current redemption values the difference between the face or full maturity value and the current redemption value then payable in accordance with the table printed on each bond will represent an adjustment of interest for the rate appropriate for the shorter term, as set forth in the tables attached to the circular announcing the issue of such bonds.

(a) *Method of interest payments.* Interest due on a current income bond will be paid on each interest payment date by check drawn to the order of the person or persons in whose name the bond is inscribed, in the same form as their names appear in the inscription on the bond, except that in the case of a bond registered in the form "A, payable on death to B" the check will be drawn to the order of A alone until the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, receives notice of A's death, from which date the payment of interest will be suspended until such time as the bond is presented for payment or reissue. Interest so withheld will be paid to the person found to be entitled to the bond. Checks issued in payment of interest on a bond registered in the names of co-owners will be drawn to the order of "A or B" and will be mailed to the address of record of the payee first named unless otherwise specifically directed or until the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, receives notice of his death. Upon receipt of notice of the death of the coowner to whom interest is being mailed the interest will be mailed to the other coowner, if living, or, if not, will be held pending the receipt of evidence on the estate of the last surviving coowner.

(b) *Change of address.* An owner or coowner of current income bonds should promptly notify the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, of any change in the address for delivery of interest checks. The notice should refer to all bonds for which it is desired

that the address be changed and should describe each bond by date, serial number, series (including year of issue) and inscription appearing on the face of the bond.

(c) *Reissue during interest period.* If a current income bond is reissued for any reason between interest payment dates, interest for the entire period will be paid, on the next interest payment date, by check drawn to the order of the person in whose name the bond is reissued. Ordinarily, if a bond is received for reissue less than one month prior to an interest payment date, reissue cannot be effected until after such payment date.

(d) *Termination of interest.* In case of redemption prior to maturity, interest on current income bonds will cease on the last day of the interest period next preceding the date of redemption. For example, if a bond on which interest is payable on January 1 and July 1 is redeemed on September 1, 1945, interest will cease on July 1, 1945, and no adjustment will be made on account of the failure to receive interest for the period from July 1 to September 1, 1945. In case of authorized reissue in another form of registration, the interest on the original bond will cease on the last day of the interest period next preceding the date of reissue and interest on the new bond will begin on the following day. The same rules shall apply in case of partial redemption or partial reissue with respect to the amount redeemed or reissued.

(e) *Consolidation of accounts.* Whenever possible the accounts for all current income bonds of a single series on which interest is payable on the same dates, held by any one person, will be consolidated, and a single check will be issued on each interest payment date for interest on all such bonds. For example, if one person is the sole registered owner of bonds bearing issue dates of January 1 and July 1, and all the bonds are registered in exactly the same name with the same address, the interest payable on the first interest payment date following the date of the last purchase will be computed on the aggregate amount of both purchases.

(f) *Endorsement of checks.* Interest checks must be endorsed by the payee, either personally or by an attorney in fact, in accordance with the requirements of the Treasurer of the United States. A form for the appointment of such attorney may be obtained from the Treasurer of the United States or from any Federal Reserve Bank. In case of the death of the payee the check may be endorsed by the legal representative, if any, of his estate. If no legal representative has been or is to be appointed, and if the amount due from the United States does not exceed \$500, the Treasurer of the United States, Washington 25, D. C., or a Federal Reserve Bank will, upon request, furnish special instructions.

(g) *Nonreceipt or loss of check.* If an interest check is not received or is lost after receipt, the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, should be notified of the facts and should be given information concerning the amount, number, and inscription of the

¹ Safekeeping facilities may be offered at some Branches of Federal Reserve Banks, and in such connection an inquiry may be addressed to the Branch.

bonds as well as a description of the check, if possible, in case of loss after the check is received. Upon receipt of this information appropriate instructions will be given.

SUBPART H—GENERAL PAYMENT AND REDEMPTION PROVISIONS

§ 315.22 *Payment at maturity.* Pursuant to its terms, a savings bond of any series will be paid at or after maturity at its full face or maturity value, but only following presentation and surrender of the bond for that purpose. Unless presented by an individual owner or coowner to an incorporated bank or trust company or other paying agent, as provided (for bonds of Series A to E only) in § 315.29, the request for payment must be duly signed and certified as provided herein.

§ 315.23 *Redemption before maturity.* Pursuant to its terms, a savings bond may not be called for redemption by the Secretary of the Treasury prior to maturity, but may be redeemed in whole or in part at the option of the owner, prior to maturity, under the terms and conditions set forth in the offering circular of each series and in accordance with the provisions of the regulations in this part following presentation and surrender as provided in this subpart.

(a) *Series A, B, C, D and E.* A bond of Series A, B, C, D or E will be redeemed in whole or in part at any time after 60 days from the issue date without advance notice, at the appropriate redemption value as shown in the table printed on the bonds.

(b) *Series F and G.* A bond of Series F or G will be redeemed in whole or in part, on one month's notice in writing, on the first day of any month not less than six months from the issue date, at the appropriate redemption value as shown in the table printed on the bond. The owner's option to redeem may be shown by a signed request for payment or by express written notice, and payment will be made as of the first day of the first month following by at least one full calendar month the date of receipt of notice by the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, or a Federal Reserve Bank. For example, if the request or notice is received on June 15, the effective redemption date will be August 1. If express notice is given, the bond must be surrendered to the same agency to which the notice is given not less than 20 days before the effective redemption date. (See § 315.21 for provisions as to interest in case current income bonds are redeemed prior to maturity.)

(c) *Series G; redemption at par before maturity.* A bond of Series G (but not of Series F) will be redeemed at par before maturity in whole or in part, in amounts corresponding with authorized denominations, not less than six months from the issue date, (1) upon the death of an owner or coowner, if a natural person, or (2) upon the termination of a trust or other fiduciary estate by reason of the death of any person, if held by the trustee or other fiduciary,

except that if the trust or fiduciary estate is terminated only in part, redemption at par will be made to the extent of not more than the pro rata portion of the trust or fiduciary estate so terminated. Redemption will be made only following actual receipt of written notice of intention to redeem at par. Such notice must be given in time to be received in the ordinary course of mail by the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, or a Federal Reserve Bank within six months after the date of death of the owner or coowner or person whose death results in the termination of the trust or other fiduciary estate, unless the period within which notice must be received is extended in accordance with the provisions of this paragraph. Proof of the date of death must be furnished and the bond must be surrendered to the same agency to which notice of intention to redeem at par is given, but they need not accompany such notice. Ordinarily, payment will be made as of the first day of the first month following by at least one full calendar month the date of receipt of notice, but payment may be postponed, upon request of the person presenting the bond, to the second interest payment date following the date of death except as follows: if the period within which notice must be received is extended beyond such interest payment date, in accordance with the provisions of this paragraph, and notice received thereafter is accepted, the effective redemption date may, upon request, be postponed to the next interest payment date following the date of receipt of notice. The period within which notice must be received may be extended in any particular case upon presentation of satisfactory proof that notice could not seasonably be given by reason of litigation or delay in the appointment of a legal representative of the estate or in the receipt of notice of death.

§ 315.24 *Form and execution of requests for payment.* Requests for payment of savings bonds, unless otherwise authorized in a particular case, must be executed on the form appearing on the back of the bond to be surrendered. Unless otherwise specifically requested, payment, pursuant to a duly executed request, will be made on the earliest day consistent with the regulations in this part.

(a) *Date of request.* Ordinarily, requests executed more than six months before the date of receipt of a bond for payment will not be accepted.

(b) *Identification and signature of owner.* The registered owner in whose name the bond is inscribed, or such other person as may be entitled to payment under the provisions of the regulations in this part, must appear before one of the officers authorized to certify requests for payment (see § 315.25), establish his identity and in the presence of such officer sign the request for payment in ink, adding in the space provided the address to which the check issued in payment is to be mailed. A signature made by mark (X) must be witnessed by at

least one person in addition to the certifying officer and must be attested by endorsement in the blank space, substantially as follows: "Witness to the above signature by mark" followed by the signature and address of the witness. If the name of the registered owner or other person entitled to payment, as it appears in the registration or in evidence on file at the Treasury Department, Division of Loans and Currency, has been changed by marriage or in any other legal manner, the signature to the request for payment should show both names and the manner in which the change was made, for example, "Miss Mary T. Jones, now by marriage Mrs. Mary T. Smith" or "Jung Smelt, now by court order John Smith." In case of a change of name other than by marriage the request should be supported by satisfactory proof of such change, unless already on file. No request signed in behalf of the owner or person entitled to payment by an agent or a person acting under a power of attorney will be recognized by the Treasury Department except as provided in § 315.12.

(c) *Certification of request.* After the request for payment has been signed by the owner the certifying officer should complete and sign the certificate appearing at the end of the form for request for payment, and the bond should then be presented and surrendered as provided in § 315.28.

§ 315.25 *Certifying officers.* The following officers are authorized to certify requests for payment:

(a) *At United States post offices.* Any postmaster, acting postmaster or inspector in charge, or other post office official or clerk heretofore or hereafter designated for the purpose. One or more of these officials will be found at every United States post office, classified branch or station. A post office official or clerk other than a postmaster, acting postmaster or inspector in charge, should certify in the name of the postmaster or acting postmaster, followed by his own signature and official title, for example, "John Doe, postmaster, by Richard Roe, postal cashier." Signatures of these officers should be authenticated by a legible imprint of the post office dating stamp.

(b) *At banks, trust companies and branches.* Any officer of any bank or trust company incorporated in the United States or its organized territories, or domestic or foreign branch of such bank or trust company, including those doing business in the organized territories or insular possessions of the United States and the Commonwealth of the Philippines under Federal charter or organized under Federal law, Federal Reserve Banks, Federal Land Banks, and Federal Home Loan Banks; any employee of any such bank or trust company expressly authorized by the corporation for that purpose, who should sign over the title "Designated Employee"; and Federal Reserve Agents and Assistant Federal Reserve Agents, located at the several Federal Reserve Banks. Certifications by any of these officers or designated em-

ployees should be authenticated by either a legible impression of the corporate seal of the bank or trust company or, in the case of banks or trust companies and their branches which are authorized and duly qualified issuing agents for bonds of Series E, by a legible imprint of the issuing agent's dating stamp.

(c) *Issuing agents not banks or trust companies.* Any officer of a corporation not a bank or trust company, and of any other organization, which is a duly qualified issuing agent for bonds of Series E. All certifications by such officers must be authenticated by a legible imprint of the issuing agent's dating stamp.

(d) *Commissioned officers and warrant officers of armed forces.* Commissioned officers and warrant officers of the United States Army, Navy, Marine Corps and Coast Guard, but only for members (and the families of members) of their respective services and civilian employees at Posts or Bases or Stations (such certifying officer should indicate his rank and state that the person signing the request is one of the class whose requests he is authorized to certify).

(e) *United States officials.* Judges, clerks and deputy clerks of United States courts, including United States courts for the organized territories, insular possessions and the Canal Zone; United States Commissioners; United States attorneys; United States collectors of customs and their deputies; United States collectors of internal revenue and their deputies; the officer in charge of any home, hospital or other facility of the Veterans' Administration, but only for patients and members of such facilities; certain officers of Federal penal institutions designated for that purpose by the Secretary of the Treasury and certain officers of the United States Public Health Service Hospitals at Lexington, Kentucky, and at Fort Worth, Texas, and of United States Marine Hospitals at Fort Stanton, New Mexico, and Carville, Louisiana, designated for that purpose by the Secretary of the Treasury (in each case, however, only for inmates or employees of the institution involved)

(f) *Officers authorized in particular localities.* Certain officers in the Treasury Department; the Governors and Treasurers of Hawaii, Puerto Rico and Alaska; the Governor and Commissioner of Finance of the Virgin Islands; the Governors and Administrative Naval and Marine officers of Guam and American Samoa; the Governor, paymaster or acting paymaster, and collector or acting collector of the Panama Canal; postmasters and acting postmasters in the Bureau of Posts of the Canal Zone; the United States High Commissioner to the Commonwealth of the Philippines, his Executive Assistant, and the Chief Clerk in his office, the Treasurer of the Commonwealth and the city treasurers of Manila and Baguio, and judges and clerks of courts of record of the Con-

monwealth whose signatures and official positions are certified by the Secretary of Justice.

(g) *In foreign countries.* In a foreign country requests for payment may be signed in the presence of and be certified by any United States diplomatic or consular representative, or manager or other officer of a foreign branch of a bank or trust company, incorporated in the United States, whose signature is attested by an impression of the corporate seal or is certified to the Treasury Department. If such an officer is not available, requests for payment may be signed in the presence of and be certified by a notary or other officer authorized to administer oaths, but his official character and jurisdiction should be certified by a United States diplomatic or consular officer under seal of his office.

(h) *Special provisions.* In the event none of the officers authorized to certify requests for payment of savings bonds is readily accessible, the Commissioner of the Public Debt, the Deputy Commissioner of the Public Debt in Charge of the Chicago Office, or a Federal Reserve Bank, is authorized to make special provision for any particular case.

§ 315.26 *General instructions to certifying officers.* Certifying officers should require positive identification of the person signing a request for payment and will be held fully responsible therefor. In all cases a certifying officer must affix to the certification his official signature, title, address and seal, or dating stamp, and the date of execution. Officers of Veterans' Facilities, Public Health Service Hospitals, Marine Hospitals, and Federal penal institutions, should use the seal of the particular institution or service, where such seal is available. If a certifying officer, other than a post office official, officer of a bank or trust company, or officer of an issuing agent, does not possess an official seal, that fact should be made known and attested.

§ 315.27 *Interested person not to certify.* No person authorized to certify requests for payment may certify a request for payment of a bond of which he is the owner, or in which he has an interest, either in his own right or in any representative capacity.

§ 315.28 *Presentation and surrender, all series.* Except for cases coming within the provisions of § 315.29, after the request for payment has been duly signed by the owner and certified as above provided, the bond should be presented and surrendered, if a bond of Series F or G to a Federal Reserve Bank or to the Treasury Department, Division of Loans and Currency, Merchant Mart, Chicago 54, Illinois, or, if a bond of any other series, to a Federal Reserve Bank or to the Treasurer of the United States, Washington 25, D. C. Usually payment will be expedited by

surrender to a Federal Reserve Bank. In all cases presentation will be at the expense and risk of the owner, and, for his protection, the bond should be forwarded by registered mail if not presented in person. Payment will be made by check drawn to the order of the registered owner or other person entitled and mailed to him at the address given in his request for payment.

§ 315.29 *Optional procedure limited to bonds of Series A to E, inclusive, in names of individual owners or coowners only.* An individual (natural person) whose name is inscribed on the face of a bond of Series A, B, C, D, or E, either as owner or coowner in his own right, may present such bond (unless marked "Duplicate") to any incorporated bank or trust company or any other organization qualified as a paying agent under the provisions of Department Circular No. 750 or any amendment thereto. If such bond is in order for payment by the paying agent, the owner or coowner, upon establishing his identity to the satisfaction of the paying agent and upon signing the request for payment and adding his home or business address, may receive immediate payment at the current redemption value, if the bond is presented prior to maturity, or at full maturity value if presented at or after maturity. Even though the request for payment has been signed, or signed and certified prior to the presentation of the bond, nevertheless the paying agent is required to establish to its satisfaction the identity of the owner or coowner requesting payment and such paying agent may require the owner or coowner to sign again the request for payment. No charge will be made to the owner. This method of presentation is authorized notwithstanding the provisions of Treasury Department Circulars Nos. 529, 554, 571, 596 and 653, all as supplemented, amended, or revised, and notwithstanding any instructions which may be printed on the bond and is optional with individual owners. Bonds of Series A, B, C, D, or E requiring documentary evidence to support redemption, or presented for partial redemption, and bonds of Series F and G, are not eligible for payment at these paying agencies.

§ 315.30 *Partial redemption.* A savings bond of any series in a denomination greater than \$25 (maturity value) may be redeemed in part at current redemption value but only in amounts corresponding to authorized denominations of not less than \$25 (maturity value), upon presentation and surrender of the bond to a Federal Reserve Bank or to the Treasurer of the United States, or to the Treasury Department, Division of Loans and Currency, Merchant Mart, Chicago 54, Illinois, all in accordance with this subpart. Partial redemption may not be effected at incorporated banks or trust companies. In any case in which partial redemption is authorized, before the request for payment is signed there should be added to the first

sentence of the request the words "to the extent of \$----- (maturity value) and reissue of the remainder" Upon partial redemption of the savings bond the remainder will be reissued as of the original date as provided in Subpart I. For payment of interest on bonds of Series G in case of partial redemption, see Subpart G.

§ 315.31 *Nonreceipt or loss of checks issued in payment.* In case a check in payment of a bond surrendered for redemption is not received within a reasonable time, or in case such check is lost after receipt, notice should be given to the same agency to which the bond was surrendered for payment, accompanied by a description of the bond by series, denomination, serial number and registration. The notice should state whether or not the check was received and should give the date upon which the bond was forwarded. Instructions will be given as to the necessary procedure to secure a duplicate. It should be borne in mind, in connection with bonds of Series F and G, that payment is made only on the first day of a calendar month and only after at least one full calendar month following actual receipt of the notice of intention to redeem, and a check cannot be expected until that time.

SUBPART I—GENERAL REISSUE AND DENOMINATIONAL EXCHANGE

§ 315.32 *General.* Reissue of a savings bond will be restricted to a form of registration permitted by the regulations in effect on the date of original issue of the bond and will be made only upon surrender of the bond and only in accordance with the provisions of the regulations in this part. Reissue of a savings bond in a different name or in a different form of registration will be made only in the following instances:

(a) To correct an error in the original issue, upon appropriate request, supported by satisfactory proof of such error unless the error was made by the issuing agent.

(b) To show a change in the name of an owner, coowner or designated beneficiary, upon his request, supported by satisfactory proof of the change of name if for any reason other than marriage.

(c) As otherwise specifically provided in the regulations in this part.

§ 315.33 *Requests for reissue.* Requests for reissue should be made on appropriate forms, which may be obtained from any Federal Reserve Bank or from the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, and should be signed by the persons authorized under the regulations in this part to make such requests. If the request is by reason of a change of name, the signature should show both names and the manner in which the change took place, as, for example, "Miss Mary T. Jones, now by marriage Mrs. Mary T. Smith." A request for reissue must be signed in the presence of and be certified by an officer au-

thorized under Subpart H to certify requests for payment.

§ 315.34 *Agencies authorized to make reissue.* Reissues under § 315.32 (b) and (c) may be made only at a Federal Reserve Bank or the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois.

§ 315.35 *Effective date.* In any case of authorized reissue the Treasury Department will treat the receipt by a Federal Reserve Bank or the Treasury Department of a bond and appropriate request for reissue thereof, as determining the date upon which reissue is effective.

§ 315.36 *Date of bonds on reissue.* The new bonds will be of the same series, will bear the same issue date, and will have the same rights and privileges as the bonds surrendered.

§ 315.37 *Denominational exchange.* Exchange as between authorized denominations will not be permitted except in cases of partial redemption or authorized reissue and then only in authorized denominations of not less than \$25 (maturity value)

SUBPART J—MINORS AND PERSONS UNDER OTHER LEGAL DISABILITY

§ 315.38 *Payment to legal guardians.* If the form of registration of a savings bond indicates that the owner is a minor or has been judicially declared to be incompetent to manage his estate and that a guardian or similar representative has been appointed for the estate of such minor or incompetent by a court having jurisdiction or is otherwise legally qualified, payment will be made only to such guardian or similar legal representative. In such case the request for payment appearing on the back of the bond should be signed by the guardian or other legal representative as such, for example, "John A. Jones, guardian (committee) of the estate of Henry W. Smith, a minor (an incompetent)." Unless the form of registration gives the name of the representative, there must be submitted in support of the request a certificate or a certified copy of the letters of appointment from the court making the appointment under the seal of the court. Except in the case of corporate fiduciaries, such certificate or certification should state that the appointment is in full force and should be dated not more than six months prior to the date of presentation of the bond for payment. See Subpart O for payment provisions applicable to bonds registered in the names of guardians and similar fiduciaries. Where the form of registration does not indicate that the owner is a minor for whose estate a guardian has been appointed, a notice that such guardian has been appointed will not be accepted by the Treasury Department for the purpose of preventing payment to the minor or to a parent or other person on behalf of the minor as provided in the two following sections. However, if a legal guardian presents for payment a bond so registered accompa-

nied by proof of his appointment, payment will be made to such guardian.

§ 315.39 *Payment to minors.* Unless the form of registration of a savings bond indicates that the owner is a minor for whose estate a guardian or similar legal representative has been appointed or is otherwise duly qualified, payment will be made direct to such minor presenting the bond for payment if, at the time payment is requested, he is of sufficient competency and understanding to sign his name to the request and to comprehend the nature of such act. In general, the fact that the request for payment has been signed by a minor and duly certified in accordance with Subpart H will be accepted as sufficient proof of such competency and understanding.

§ 315.40 *Payment to a parent or other person on behalf of a minor.* If the owner of a savings bond is a minor and the form of registration does not indicate that a guardian or similar legal representative of the estate of such minor has been appointed by a court or is otherwise legally qualified, and if such minor owner is not of sufficient competency and understanding to execute the request for payment, payment will be made to either parent of the minor with whom he resides, or if the minor does not reside with either parent, then to the person who furnishes his chief support. Such parent or other person must surrender the bond with the request for payment properly executed, and furnish a certificate, which may be typed on the back of the bond, showing his right to act for the minor. If a parent signs the request, the certificate and signature thereto should be in substantially the following form:

I certify that I am the mother (or father) of John C. Jones and the person with whom he resides. He is -- years of age and is not of sufficient competency and understanding to sign this request.

Mrs. Mary Jones on behalf of John C. Jones.

(Signature)

If a person other than a parent signs the request, the certificate and signature thereto, including a reference to the person's relationship, if any, to the minor, should be in substantially the following form:

I certify that John C. Jones does not reside with either parent and that I furnish his chief support. He is -- years of age and is not of sufficient competency and understanding to sign this request.

Mrs. Alice Brown, grandmother, on behalf of John C. Jones.

(Signature)

The Treasury Department may in any particular case require further proof that the minor is not of sufficient competency and understanding to execute the request for payment and of the right of the person executing the request to act on behalf of the minor.

§ 315.41 *Payment to voluntary guardian of person under disability.* In any

case where the adult owner of a bond has been judicially declared incompetent or such incompetency is otherwise satisfactorily established, and no duly qualified legal representative of his estate is acting, and the entire gross value of his personal estate does not exceed \$500, payment will be made to a member of his family or other person acting as voluntary guardian, upon presentation of satisfactory proof that the proceeds of the bond are necessary for the purchase of necessities for the incompetent or for his wife or minor children or other persons dependent upon him for support. Application for such payment should be made only on appropriate forms, which may be obtained from the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, or any Federal Reserve Bank. The request for payment should not be executed, nor the bond presented, until the application has been approved and instructions have been given by the Treasury Department.

§ 315.42 *Reissue in the case of a minor* A savings bond of which a minor is the owner, or in which he has an interest, may be reissued upon an authorized reissue transaction under the following conditions:

(a) Reissue will be restricted to a form of registration which preserves the existing ownership or interest of the minor, except that a minor of sufficient competency and understanding to sign his name to the request and to comprehend the nature of such act, shall have the right to request reissue to add a coowner or beneficiary to a bond registered in his name alone or to which he is entitled in his own right.

(b) Reissue will be subject to the terms and conditions prescribed by §§ 315.38, 315.39 and 315.40 of this subpart, governing a request for payment of such bond.

SUBPART K—SINGLE NAME—ADDITION OF COOWNER, ETC.

§ 315.43 *Payment or reissue.* A savings bond registered in the name of one person in his own right without a coowner or beneficiary, or to which one person is entitled in his own right under these regulations, will be paid to such person during his lifetime upon a duly executed request for payment. Upon the death of the owner, such bond, if not previously redeemed, will be considered as belonging to his estate and will be paid or reissued accordingly. (See Subpart N.)

§ 315.44 *Reissue for certain purposes.* A savings bond registered in the name of one person in his own right, or to which one person is shown to be entitled in his own right under the regulations in this part, may be reissued, upon appropriate request, for the following purposes:

(a) *Addition of a coowner* Reissue in the name of the owner with that of another natural person as coowner. Bonds reissued in accordance with this paragraph upon request of the original owner

will be considered for the purposes of computation of holdings under Subpart C of the regulations in this part as originally issued in both names, and no reissue will be effective which results in any one person holding bonds in excess of the established limit for the series to which the bonds belong. Requests for reissue under this paragraph should be made on Form PD 1787.

(b) *Addition of a beneficiary.* Reissue in the name of the owner with that of another natural person as designated beneficiary. Requests for reissue under the provisions of this paragraph should be made on Form PD 1787.

(c) *A trustee of a living trust.* Reissue in the name of a trustee of a living trust created by the owner for his benefit, in whole or in part, during his lifetime, whether or not containing an absolute power of revocation in the grantor; but such reissue will be allowed only in the case of bonds of those series which may be originally issued in the name of a trustee. Requests for reissue under this paragraph should be made on Form PD 1851.

SUBPART L—TWO NAMES—COOWNERSHIP FORM

§ 315.45 *Payment or reissue.* A savings bond registered in the names of two persons as coowners in the form, for example, "John A. Jones or Mrs. Mary C. Jones" will be paid or reissued as follows:

(a) *Payment during the lives of both coowners.* During the lives of both coowners the bond will be paid to either coowner upon his separate request without requiring the signature of the other coowner; and upon payment to either coowner the other person shall cease to have any interest in the bond. The bond will also be paid to both coowners upon their joint request, in which case payment will be made by check drawn to the order of both coowners in the form "John A. Jones and Mrs. Mary C. Jones" and the check must be endorsed by both payees.

(b) *Reissue during the lives of both coowners.* During the lives of both coowners the bond may be reissued upon the request of both, as follows:

(1) If one of the coowners is married after the issue of the bond, the bond may be reissued to eliminate the name of the other coowner and to name the former's wife or husband as coowner or beneficiary. Requests for reissue under this provision should be made on Form PD 1938.

(2) If the coowners are divorced from each other after the issue of the bond, the bond may be reissued in the name of either coowner, alone or with a new coowner or a beneficiary. The requests must be supported by a copy of the divorce decree, certified by the clerk of the court under its seal. Application for the appropriate form to be used hereunder may be made to a Federal Reserve Bank or to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois.

(3) If the bond is of a series which may be originally issued in the name of a trustee, it may be reissued in the name

of a trustee of a living trust created by both coowners for the benefit of both, in whole or in part, during their lifetime, whether or not containing an absolute power of revocation in the grantors. Requests for reissue under this provision should be made on Form PD 1851.

No other reissue will be permitted in any form during the lives of both coowners except as specifically provided in the regulation in this part.

(c) *Payment or reissue after the death of one coowner* If either coowner dies without the bond having been presented and surrendered for payment or authorized reissue, the surviving coowner will be recognized as the sole and absolute owner of the bond and payment or reissue, as though the bond were registered in his name alone, will be made only to such survivor. If the survivor requests reissue, he must present proof of the death of the other coowner. If a coowner dies after he has presented and surrendered the bond for payment, payment of the bond or check, if one has been issued, will be made to his estate (see Subpart N). If either coowner dies after the bond has been presented and surrendered for authorized reissue, the bond will be treated as though such reissue had been made before the death of such coowner (see § 315.35).

(d) *Payment or reissue on death of both coowners in common disaster* If both coowners die in a common disaster under such conditions that it cannot be established, either by presumption of law or otherwise, which coowner died first, the bond will be considered as belonging to the estates of both coowners, and payment or reissue will be made accordingly (see Subpart N).

(e) *Payment or reissue after the death of the surviving coowner* If a surviving coowner who becomes solely entitled to the bond under the provisions of paragraph (c) of this section, dies without having presented and surrendered the bond for payment or authorized reissue, the bond will be considered as belonging to his estate and will be paid or reissued accordingly (see Subpart N). In this case, proof of the death of both coowners and of the order in which they died will be required.

The term "presented and surrendered" as used in this subpart means the actual receipt of a bond, for payment, by a Federal Reserve Bank or the Treasury Department, or an incorporated bank or trust company or any other agency duly qualified to make payment of the bond, or, for reissue, by a Federal Reserve Bank or the Treasury Department, with an appropriate request for the particular transaction.

SUBPART M—TWO NAMES—BENEFICIARY FORM

§ 315.46 *Payment or reissue.* A savings bond registered in the name of one person payable on death to another, for example, "Henry W. Ash, payable on death to John C. Black", will be paid or reissued as follows:

(a) *Payment to the registered owner* The bond will be paid to the registered

owner during his lifetime upon his properly executed request as though no beneficiary had been named in the registration.

(b) *Reissue during the lifetime of the registered owner.* (1) The bond will be reissued, on the duly certified request of the registered owner, to name the beneficiary designated on the bond as coowner. Bonds so reissued upon the request of the original owner will be considered for the purposes of computation of holdings under Subpart C of these regulations as originally issued in both names and no reissue will be effective which results in any one person holding bonds in excess of the established limit for the series to which the bonds belong.

(2) The bond will also be reissued upon the duly certified request of the registered owner, together with the duly certified consent of the designated beneficiary, to eliminate such beneficiary¹ or to substitute another person as beneficiary, or to name another person as coowner. Under this provision the bond may also be reissued in the name of a trustee of a living trust created by the owner for his benefit, in whole or in part, during his lifetime, whether or not containing an absolute power of revocation in the grantor, if it is a bond of a series which may be originally issued in the name of a trustee.

(3) If the beneficiary should predecease the registered owner, upon proof of such death and upon request of the registered owner the bond may be reissued as though it were registered in his name alone.

Requests for reissue under this paragraph should be made on Form PD 1787, except that Form PD 1849 should be used for reissue to a trustee of a living trust under the provisions of subparagraph (2) of this paragraph.

(c) *Payment or reissue after the death of the registered owner.* If the registered owner dies without having presented and surrendered the bond for payment or authorized reissue and is survived by the beneficiary, upon proof of such death and survivorship, the beneficiary will be recognized as the sole and absolute owner of the bond, and payment or reissue, as though the bond were registered in his name alone, will be made only to such survivor. If the registered owner dies after he has presented and surrendered the bond for payment, payment of the bond, or check, if one has been issued, will be made to his estate (see Subpart N). If the registered owner dies after the bond has been presented and surrendered for an authorized reissue, the bond will be treated as though such reissue had been made before the death of the registered owner (see § 315.35).

(d) *Payment or reissue after the death of the surviving beneficiary.* If a

surviving beneficiary who becomes entitled to the bond under the provisions of paragraph (c) of this section, dies without having presented and surrendered the bond for payment or reissue, the bond will be considered as belonging to his estate and will be paid or reissued accordingly (see Subpart N). In this case, proof of the death of both the registered owner and the beneficiary and of the order in which they died will be required.

The term "presented and surrendered" as used in this subpart means the actual receipt of a bond, for payment, by a Federal Reserve Bank or the Treasury Department, or an incorporated bank or trust company or any other agency duly qualified to make payment of the bond, or, for reissue, by a Federal Reserve Bank or the Treasury Department, with an appropriate request for the particular transaction.

SUBPART N—DECEASED OWNERS

§ 315.47 *Payment or reissue on death of owner.* Upon the death of the owner of a savings bond who was not survived by a coowner or designated beneficiary and who had not during his lifetime presented and surrendered the bond to a Federal Reserve Bank or the Treasury Department for an authorized reissue, the bond will be considered as belonging to his estate and will be paid or reissued accordingly, as hereinafter provided, except that reissue under the provisions of this subpart will not be made to a creditor. In any case, reissue will be restricted to a form of registration permitted by the regulations in effect on the date of original issue of the bond, but the person entitled to the bond may hold it without change of registration and will have the right to payment before or at maturity. The provisions of this section shall also apply to savings bonds registered in the names of executors or administrators, except that proof of their appointment and qualification may not be required. Established forms for use in such cases and for requests for payment or reissue may be obtained from any Federal Reserve Bank or from the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois, and should be used in every instance.

(a) *In course of administration.* If the estate of the decedent is being administered in a court of competent jurisdiction, the bond will be paid to the duly qualified representative of the estate or will be reissued in the names of the persons entitled to share in the estate, upon request of the duly appointed and qualified representative of the estate and compliance with the following conditions:

(1) Where there are two or more legal representatives, all must unite in the request for payment or reissue, unless by express statute or decree of court, or by testamentary provision, some one or more

of them may properly execute the request.

(2) The request for payment or reissue should be signed in the form, for example: "John A. Jones, administrator of the estate (or executor of the will) of Henry W. Jones, deceased," and must be supported by proof of the representative's authority in the form of a court certificate of a certified copy of the representative's letters of appointment issued by the court having jurisdiction. The certificate, or the certification to the letters, must be under seal of the court, and, except in the case of a corporate representative, must contain a statement that the appointment is in full force and should be dated within six months of the date of presentation of the bond.

(3) In case of reissue the personal representative should certify that the persons named are entitled to share in the estate to the extent specified for each and have consented to such reissue. A request for reissue by an individual legal representative should be made on Form PD 1455 and a request by a corporate representative should be made on Form PD 1498. If a person in whose name reissue is requested desires to name a coowner or beneficiary, such person should execute an additional request for that purpose, using Form PD 1787.

(4) If a sole representative is himself the person entitled and desires reissue in his own name, the request for reissue must be supported by an order of court showing that he is entitled to the bond in his own right.

(b) *After settlement through court proceedings.* If the estate of the decedent has been settled in a court of competent jurisdiction, the bond will be paid to or reissued in the name of the person entitled thereto as determined by the court. The request for payment or reissue should be made by the person shown to be entitled and supported by duly certified copies of the representative's final account and the decree of distribution or other pertinent court records, supplemented, if there are two or more persons having an apparent interest in the bonds, by an agreement executed by them. If it is established to the satisfaction of the Secretary of the Treasury that the representative is not required by law or rules of court to render an accounting, reissue may be made in his name, upon his request as representative, supported by proof of compliance with all legal requirements and of all the facts necessary to establish his right to the bond.

(c) *Without administration.* If no legal representative of the decedent's estate has been or is to be appointed and the amount of savings bonds belonging to the estate does not exceed \$250 (maturity value), or if it is established to the satisfaction of the Secretary of the Treasury that the gross value of the personal estate of the decedent does not exceed \$500 or that administration of the es-

¹ A bond registered in the name of the owner payable on death to the Treasurer of the United States may not be reissued to eliminate the beneficiary.

tate is not required in the State of the decedent's last domicile, the bond will be paid to or reissued in the name of the persons entitled, pursuant to an agreement and request by all persons entitled to share in the estate, executed on the form prescribed by the Treasury Department and supported by the evidence called for by such form. Application for the appropriate form to be used hereunder may be made to any Federal Reserve Bank or to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois. The applicant should state whether or not the amount of bonds belonging to the decedent's estate is in excess of \$250 (maturity value). No payment or reissue will be permitted without administration if any of the persons entitled are minors or incompetents, except to them or in their names, in whole or to the extent of their interests in the decedent's entire personal estate, whichever is less, unless such interests are otherwise protected to the satisfaction of the Secretary of the Treasury.

SUBPART O—FIDUCIARIES

§ 315.48 *Payment to fiduciaries.* A savings bond registered in the name of a fiduciary, or otherwise belonging to a fiduciary estate, will be paid to the fiduciaries of such estate upon their request. A request for payment before maturity must be signed by all acting fiduciaries unless, by express statute or decree of court or by the terms of the instrument under which the fiduciaries are acting, some one or more of them may properly execute the request. A request for payment at maturity signed by any one or more acting fiduciaries will be accepted, but payment will be made to all. If the bond is registered in the names of fiduciaries of the estate who are still acting, no further evidence of authority will be required. In other cases the request for payment must be supported by evidence as specified below.

(a) *Fiduciaries; by title only.* If the bond is registered in the titles without the names of the fiduciaries, satisfactory proof of their incumbency must be furnished, except in the case of public officers.

(b) *Succeeding fiduciaries.* If the fiduciaries in whose names the bonds were registered have been succeeded by other fiduciaries, satisfactory proof of succession must be furnished.

(c) *Boards, committees, etc.* If the fiduciaries consist of a board, committee, commission or public body, or are otherwise empowered to act as a unit, a request for payment before maturity must be signed in the name of the board or other body by an authorized officer or agent thereof or by all members of the board or other body. A request executed by an officer or agent must be supported by a duly certified copy of a resolution of the board or other body authorizing such action or by a duly certified copy of the trust instrument or excerpt therefrom showing the authority for such action,

except that in the case of a public board or commission a request signed in its name by an authorized officer thereof and duly certified will ordinarily be accepted without further proof of his authority. A request signed by all members of a private board or committee must be supported by a duly executed certificate of incumbency.

(d) *Corporate fiduciaries.* If a public or private corporation or a political body, such as a State or county, is acting as a fiduciary, a request for payment must be signed in the name of the corporation or other body, in the fiduciary capacity in which it is acting, by an authorized officer thereof. A request for payment so signed and duly certified will ordinarily be accepted without further proof of the officer's authority.

(e) *Registration not disclosing trust.* If the form in which the bond is registered does not show that it belongs to a fiduciary estate or does not identify the estate to which it belongs, satisfactory proof of ownership must be furnished.

§ 315.49 *Reissue in the name of a succeeding fiduciary.* If a fiduciary in whose name a savings bond is registered has been succeeded as such fiduciary by another, the bond will be reissued in the name of the succeeding fiduciary upon appropriate request and satisfactory proof of succession.

§ 315.50 *Reissue or payment to person entitled—(a) Distribution of trust estate in kind.* A savings bond to which a beneficiary of a trust estate has become lawfully entitled in his own right or in a fiduciary capacity, in whole or in part, under the terms of the trust instrument, will be reissued in his name to the extent of his interest as a distribution in kind upon the request of the trustee or trustees and their certification that such person is entitled and has agreed to reissue in his name. If a sole trustee is the person so entitled in his own right, his request for reissue in his name must be supported by an order of court or other satisfactory proof that he is so entitled. If the form in which the bond is registered does not show that it belongs to a trust estate, the request for reissue must be supported by satisfactory proof of ownership.

(b) *After termination of trust estate.* If the person who would be lawfully entitled to a savings bond upon the termination of a trust does not desire to have such distribution to him in kind, as provided in the next preceding paragraph, the trustee or trustees should redeem the bond in accordance with the provisions of § 315.48 before the estate is terminated. If, however, the estate is terminated without such payment or reissue having been made, the bond will thereafter be paid to or reissued in the name of the person lawfully entitled upon his request and satisfactory proof of ownership, supplemented, if there are two or more persons having any apparent interest in the bond, by an agreement executed by all such persons.

(c) *Upon termination of guardianship estate.* A savings bond registered in the name of a guardian or similar legal representative of the estate of a minor or incompetent, if the estate is terminated during the ward's lifetime, will be reissued in the name of the former ward upon the representative's request and certification that the former ward is entitled and has agreed to reissue in his name, or will be paid to or reissued in the name of the former ward upon his own request, supported in either case by satisfactory proof that his disability has been removed. Certification by the representative that a former minor has attained his majority, or that the legal disability of a female ward has been removed by marriage, if the State law so provides, will ordinarily be accepted as sufficient, but if the disability is removed by court order a duly certified copy of the order will be necessary. Upon the death of the ward a bond registered in the name of his guardian or similar representative will be reissued in accordance with the provisions of Subpart N as though it were registered in the name of the ward alone.

SUBPART P—PRIVATE ORGANIZATIONS (CORPORATIONS, ASSOCIATIONS, PARTNERSHIPS, ETC.)

§ 315.51 *Payment to corporations or unincorporated associations.* A savings bond registered in the name of a private corporation or an unincorporated association will be paid to such corporation or unincorporated association upon request for payment on its behalf by a duly authorized officer thereof. The signature to the request should be in the form, for example, "The Jones Coal Company, a corporation, by William A. Smith, president" or "The Lotus Club, an unincorporated association, by John Jones, treasurer." A request for payment so signed and duly certified will ordinarily be accepted without further proof of the officer's authority.

§ 315.52 *Payment to partnerships.* A savings bond registered in the name of a partnership will be paid upon a request for payment signed by a general partner. The signature to the request should be in the form "Smith and Jones, a partnership, by John Jones, a general partner." A request for payment so signed and duly certified will ordinarily be accepted as sufficient proof that the person signing the request is duly authorized.

§ 315.53 *Payment to other organizations (churches, hospitals, homes, schools, etc.)* A savings bond registered in the name of a church, hospital, home, school, or similar institution without reference in the registration to the manner in which it is organized, governed, or title to its property is held, will be paid upon a request for payment signed on behalf of such institution by an authorized representative. For the purpose of this section, a request for payment signed by a pastor of a church, superintendent of a hospital, president of a college, or by any

official generally recognized as having authority to conduct the financial affairs of the particular institution, will ordinarily be accepted without further proof of his authority. The signature to the request should be in the form, for example, "Shriners' Hospital for Crippled Children, St. Louis, Missouri, by William A. Smith, superintendent" or "St. Mary's Roman Catholic Church, Albany, New York, by John Jones, pastor."

§ 315.54 *Reissue in name of trustee for investment purposes.* A savings bond held by a church, hospital, home, school, or similar institution, whether or not incorporated, may be reissued upon appropriate request in the name of a bank or trust company as trustee under an agreement with such organization, under which the bank or trust company holds the funds of the organization, in whole or in part, in trust, for the purpose of investing and reinvesting the principal and paying the income to the corporation or association.

§ 315.55 *Reissue or payment to successors of corporations, unincorporated associations or partnerships.* A savings bond registered in the name of a private corporation, an unincorporated association or a partnership which has been succeeded by another corporation, unincorporated association or partnership by operation of law or otherwise, as the result of merger, consolidation, reincorporation, conversion, reorganization, or in any manner whereby the business or activities of the original organization are continued without substantial change, will be paid to, or reissued in the name of, the succeeding organization upon appropriate request on its behalf and satisfactory proof of lawful successorship.

§ 315.56 *Reissue or payment on dissolution—(a) Corporations.* A savings bond registered in the name of a private corporation which is in process of dissolution will be paid to the authorized representative of the corporation upon a duly executed request for payment supported by satisfactory evidence of the representative's authority. Upon the termination of dissolution proceedings such bonds may be reissued in the names of those persons, other than the creditors, entitled to the assets of the corporation, to the extent of their respective interests, upon the duly executed request of the authorized representative of the corporation and upon proof of compliance with all statutory provisions governing the voluntary dissolution of such corporation, and that the persons in whose names reissue is requested are entitled and have agreed to such reissue. If the dissolution proceedings are had under the direction of a court, proof of the authority of the representative and of the persons entitled to distribution

must consist of certified copies of orders of the court.

(b) *Partnerships.* A savings bond registered in the name of a partnership which has been dissolved by death or withdrawal of a partner, or in any other manner, will be paid to or reissued in the names of the persons entitled thereto as the result of such dissolution to the extent of their respective interests, upon their request supported by satisfactory evidence of their title, including proof that the debts of the partnership have been paid or properly provided for.

SUBPART Q—STATES, PUBLIC CORPORATIONS, AND PUBLIC BOARDS, COMMISSIONS AND OFFICERS

§ 315.57 *In names of States, public corporations and public boards.* A savings bond registered in the name of a State or of a county, city, town, village or other public corporation or in the name of a public board or commission, will be paid upon a request signed in the name of such State, corporation, board or commission by a duly authorized officer thereof. A request for payment so signed and duly certified will ordinarily be accepted without further proof of the officer's authority.

§ 315.58 *In names of public officers.* A savings bond registered in the title, without the name, of an officer of a State or public corporation, such as a county, city, town or village, will be paid upon request for payment signed by the designated officer. The fact that the request for payment is signed and duly certified will ordinarily be accepted as sufficient proof that the person signing is the incumbent of the designated office.

SUBPART R—FURTHER PROVISIONS

§ 315.59 *Regulations prescribed.* The regulations in this part are prescribed by the Secretary of the Treasury as governing United States Savings Bonds issued under the authority of section 22 of the Second Liberty Bond Act, as amended, and pursuant to the various Department Circulars offering such bonds for sale. The provisions of the regulations in this part with respect to bonds registered in the names of certain classes of individuals, fiduciaries and organizations are equally applicable to bonds to which such individuals, fiduciaries and organizations are otherwise shown to be entitled under the regulations in this part. The provisions of Treasury Department Circular No. 300, as amended, have no application to savings bonds except as to cases arising under Subpart F of this circular.

§ 315.60 *Preservation of rights.* Nothing in the regulations in this part contained shall be construed to limit or restrict any existing rights which holders of savings bonds heretofore issued may

have acquired under the circulars offering such bonds for sale, or under the regulations in force at the time of purchase.

§ 315.61 *Additional proof; bond of indemnity.* The Secretary of the Treasury, in any case arising under the regulations in this part, may require such additional proof as he may consider necessary or advisable in the premises; and may require a bond of indemnity with satisfactory sureties, or an agreement of indemnity, in any case where he may consider such a bond or agreement necessary for the protection of the interests of the United States.

§ 315.62 *Correspondence, certificates, notices and forms—presentation and surrender.* The Chicago Office of the Bureau of the Public Debt of the Treasury Department (Merchandise Mart, Chicago 54, Illinois) is charged with all matters relating to United States Savings Bonds after their original issue, and within that office transactions under the regulations in this part are largely conducted by the Division of Loans and Currency, at the same address. In the same connection the Federal Reserve Banks, as Fiscal Agents of the United States, and their Branches, are utilized. Correspondence in regard to any transactions with respect to United States Savings Bonds within the scope of the regulations in this part, certificates of court and other certificates required hereunder, notices of intention to redeem and the like (which must be in writing) and any other appropriate forms or documents, should be addressed accordingly (and, where necessary, the bonds should be presented and surrendered therewith) except that any specific instructions given elsewhere in this circular for addressing particular transactions should be observed, and in any such instances the term "Federal Reserve Bank" shall include any branch of that bank. Notices or documents not so submitted, or on file in the Treasury Department elsewhere than with the Bureau of the Public Debt will not be recognized. Appropriate forms for use in connection with transactions may be obtained from any Federal Reserve Bank or Branch, or from the Treasury Department, Division of Loans and Currency, at the Chicago address.

§ 315.63 *Supplements, amendments or revisions.* The Secretary of the Treasury may at any time, or from time to time, prescribe additional, supplemental, amendatory or revised rules and regulations governing United States Savings Bonds.

[SEAL]

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 45-2604; Filed, Feb. 15, 1945; 4:04 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 274]

AFFIDAVIT—OCCUPATIONAL CLASSIFICATION,
ETC.

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 42 (Merchant Marine), entitled "Affidavit—Occupational Classification (General)."¹

Addition of a new form designated as DSS Form 42 (Special) (Merchant Marine), entitled "Affidavit—Occupational Classification (Special)."¹

Addition of a new form designated as DSS Form 59 (Merchant Marine), entitled "Classification Advice."¹

The foregoing additions shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director

JANUARY 27, 1945.

[F. R. Doc. 45-2603; Filed, Feb. 15, 1945;
3:52 p. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[RMPP 109,² Amdt. 7]

AIRCRAFT LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1312.354 is amended by deleting the period at the end of paragraph (a) and adding the following: "Provided, however That, upon certification by the War Department to the Office of Price Administration that a state of emergency exists in which the domestic supply of spruce fitches is inadequate to meet the immediate requirements of a vital war program and that Canadian spruce fitches necessary to meet that emergency may be imported only at prices so greatly in excess of the maximum prices for domestic sales of such fitches established by this regulation as to impede their importation by remanufacturers subject to this regulation, any such remanufacturer who imports such fitches from Canada at the request of the War Production Board may enter into an agreement with the United States Army whereby the United States Army will undertake to reimburse him for the

difference between the legal price of such lumber in Canada, plus Canadian surcharge, plus U. S. import duties, if any, plus freight charges to Bellingham, Washington minus the U. S. ceiling price f. o. b. Bellingham, Washington. All amounts are to be computed in United States currency, and before the computation is made, all charges expressed in Canadian funds shall be converted to American funds."

This amendment shall become effective February 15, 1945.

Issued this 15th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2606; Filed, Feb. 15, 1945;
4:26 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,¹ Amdt. 54]

MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 280 is amended in the following respects:

1. Section 1351.801 (a) is amended by changing the phrase following the last semicolon to read as follows: "and any other food commodity which is processed from cows' milk and composed of milk ingredients constituting more than 50 percent in weight or volume, excluding liquid ice cream mix, ice cream and ice milk (which are covered by Maximum Price Regulation No. 577) and liquid whey, and excluding any other commodity so composed of milk ingredients insofar as its sale is covered by some other regulation."

2. Section 1351.803 (g) is amended to read as follows:

(g) The provisions of this Maximum Price Regulation No. 280 do not apply to liquid ice cream mix as defined in § 1351.816 (a) (8) Maximum prices for sales of such liquid ice cream mix are fixed in Maximum Price Regulation No. 577.

3. Section 1351.808 (k) is amended to read as follows:

(k) The milk product known as "liquid ice cream mix," as defined in subparagraph (8) of § 1351.816 (a) Maximum prices for sales of such "liquid ice cream mix" are fixed in Maximum Price Regulation No. 577.

4. Section 1351.816 (a) (8) is amended to read as follows:

(8) "Liquid ice cream mix" means the liquid unfrozen dairy food, intended for the manufacture of ice cream, and made from a combination of milk products and any sweetening agent, and with or without flavoring, coloring, eggs, water, or stabilizer. It contains not less than 8% by weight of butterfat, not less than 6%

by weight of milk solids not fat and not more than 1% by weight of stabilizer. It includes, but is not limited to, liquid ice cream mix, ice milk mix, milk shake mix, and similar liquid preparations intended for the manufacture of ice cream, and containing a sweetening agent, not less than 8% by weight of butterfat and not less than 6% by weight of milk solids not fat. The term "liquid ice cream mix" does not include any dry ice cream mix, paste ice cream mix or ice cream powder.

This amendment shall become effective February 15, 1945.

Issued this 15th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2608; Filed, Feb. 15, 1945;
4:27 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 577]

ICE CREAM, LIQUID ICE CREAM MIX, SHERDET,
AND OTHER FROZEN DESSERTS

A statement of the considerations involved in the issuance of this regulation has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or had previously been promulgated and their use lawfully required by another Government Agency.

ARTICLE I—SCOPE OF THE REGULATION;
DEFINITIONS

Sec.

- 1.1 What this regulation covers.
- 1.2 Exempt sales and products.
- 1.3 What regulations superseded.
- 1.4 Where this regulation applies.
- 1.5 Definitions.

ARTICLE II—MAXIMUM PRICES; PRICING METHODS

- 2.1 Base periods.
- 2.2 Modifications since base periods.
- 2.3 Maximum prices.
- 2.4 Where unable to price under section 2.3.
- 2.5 Liquid ice cream mix and ice cream, where milk solids reduced; pricing at wholesale.
- 2.6 Sherbets and ices, where ice cream price reduced; pricing at wholesale.
- 2.7 Ice milk, where milk solids reduced; pricing at wholesale.
- 2.8 Reductions in maximum retail prices of products covered by this regulation.
- 2.9 Calculations.
- 2.10 Notice to retailers.
- 2.11 Customary discounts, allowances and practices.
- 2.12 Federal and State taxes.

ARTICLE III—GENERAL PROVISIONS

- 3.1 Export sales.
- 3.2 Records and reports.
- 3.3 Sales slips and receipts.
- 3.4 Transfer of business or stock in trade.
- 3.5 Posting of retail maximum prices.
- 3.6 Filing of retail maximum prices.
- 3.7 Compliance.

ARTICLE IV—ADJUSTMENT, AMENDMENT AND
ADJUSTABLE PRICING

- 4.1 Adjustment.
- 4.2 Amendment.
- 4.3 Adjustable pricing.

AUTHORITY: § 1351.1801 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

*Copies may be obtained from the Office of Price Administration.

¹ Filed as part of the original document.

² 7 F.R. 10100; 8 F.R. 270, 2872, 4325, 4717, 6833, 8614; 9 F.R. 8071.

³ 9 F.R. 6520, 9090, 10358, 13004, 13057, 13758, 14067, 15107.

ARTICLE I—SCOPE OF THE REGULATION;
DEFINITIONS

SECTION 1.1 *What this regulation covers.* Except for those sales and products exempt under section 1.2, this regulation establishes maximum prices for all sales of the following products:

(a) Liquid ice cream mix, ice cream, sherbet, ice, ice milk, and any product similar to or in imitation of these products; and

(b) Combinations of these products.

SEC. 1.2 *Exempt sales and products—*

(a) *Exempt sales.* This regulation shall not apply to the following sales:

(1) Sales at retail to passengers on railroad trains. Maximum prices for such sales are established under Restaurant Maximum Price Regulation No. 1.

(2) Sales by a restaurant or any other eating or drinking establishment (as defined in Restaurant Maximum Price Regulation No. 2) for consumption on or immediately outside the premises, or when sold as a part of a meal prepared by such establishment for consumption off the premises. Maximum prices for such sales are established under Restaurant Maximum Price Regulation No. 2.

(b) *Exempt products.* This regulation shall not apply to dry ice cream mix and paste ice cream mix. Maximum prices for these products are established under Maximum Price Regulation No. 280.

SEC. 1.3 *What regulations superseded.*

Except as otherwise provided in this regulation, it supersedes the General Maximum Price Regulation, Revised Supplementary Regulation No. 1 and Supplementary Regulation No. 14A, both to the General Maximum Price Regulation, and Maximum Price Regulation No. 280, as to sales of the products covered by this regulation.

SEC. 1.4 *Where this regulation applies.* The provisions of this regulation apply only to the 48 states of the United States of America and the District of Columbia.

SEC. 1.5 *Definitions.* For the purposes of this regulation and with the limitation that each product hereinafter defined shall meet the minimum requirements of the state and governmental subdivisions where it is sold for consumption:

(a) "Liquid ice cream mix" means the liquid unfrozen dairy food, intended for the manufacture of ice cream, and made from a combination of milk products and any sweetening agent, and with or without flavoring, coloring, eggs, water, or stabilizer. It contains not less than 8% by weight of butterfat, not less than 6% by weight of milk solids not fat and not more than 1% by weight of stabilizer.

(b) "Ice cream" means the frozen dairy food made from liquid, paste or dry ice cream mix and flavoring. It contains not less than 8% by weight of butterfat and not less than 6% by weight of milk solids not fat, except that when fruit and fruit juices, nuts, cocoa or chocolate, maple syrup, cakes or confection are used for the purpose of flavoring, then it contains not less than 6% by weight of butterfat and not less than 6% by weight of milk solids not fat. It contains not more than 1% by weight of

stabilizer, weighs not less than 4.25 pounds to the gallon, and contains not less than 1.4 pounds of total food solids to the gallon. The term "ice cream" shall include the products listed in paragraph (c) below.

(c) "Frozen custard," "French ice cream," "French custard ice cream," "ice custard," "pâisfaits" and similar frozen products are each an ice cream as defined in paragraph (b) above and also contain, for each 90 pounds of the product, not less than 5 dozens of egg yolks, or 1.5 pounds of dry egg yolks containing no more than 7% moisture, or 3 pounds of frozen egg yolks containing no more than 55% moisture, or the equivalent of egg yolk in other forms.

(d) "Ice milk" means the frozen dairy food, which does not meet the minimum requirements of ice cream as defined in paragraph (b) above, and is made from milk products, any sweetening agent, flavoring, and with or without eggs, stabilizer or coloring. It contains not less than 2% by weight of butterfat, not less than 10% by weight of total milk solids and not more than .6% by weight of stabilizer. A gallon of ice milk weighs not less than 4.25 pounds and contains not less than 1.3 pounds of total food solids.

(e) "Sherbet" means the frozen dairy food, which does not meet the minimum requirements of ice cream as defined in paragraph (b) above, and is made from milk products, any sweetening agent, flavoring, which may be derived from fruit juice and lactic, citric or tartaric acid, and with or without stabilizer or coloring. It contains not less than 3% by weight of milk solids, not less than .35% of acid as determined by titrating with standard alkali and expressed as lactic acid, and weighs not less than 4.25 pounds to the gallon. Unless the context otherwise requires, the term "sherbet" includes "chocolate sherbet" and "vanilla sherbet."

(f) "Chocolate sherbet" means the frozen dairy food made from milk products, any sweetening agent, and chocolate flavoring, and with or without stabilizer or coloring. It contains more than 3% by weight and not more than 6% by weight of total milk solids, and not more than .6% by weight of stabilizer. A gallon of chocolate sherbet weighs not less than 4.25 pounds and contains not less than 1.3 pounds of total food solids.

(g) "Vanilla sherbet" means the frozen dairy food made from milk products, any sweetening agent, and vanilla flavoring, and with or without stabilizer or coloring. It contains more than 3% by weight and not more than 6% by weight of total milk solids, and not more than .6% by weight of stabilizer. A gallon of vanilla sherbet weighs not less than 4.25 pounds and contains not less than 1.3 pounds of total food solids.

(h) "Ice" means the frozen product made from water, any sweetening agent, flavoring, not less than .35% of acid as determined by titrating with standard alkali and expressed as lactic acid, with or without coloring and stabilizer. It contains no milk solids. A gallon of ice weighs not less than 4.75 pounds.

(i) "Imitation product" means that product, regardless of the name under

which it is represented or sold, which does not meet the definition of any product listed in paragraphs (a) through (h) above, but which is prepared or frozen as, or which is made in imitation or semblance of, any such product.

(j) "Base period" see section 2.1.

(k) "Highest price charged during the base period" means the highest price which the seller charged for a product of the same weight, grade and quality delivered by him during the applicable base period to a purchaser of the same class, or if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class. For the purposes of this paragraph (k), "delivered" shall refer to receipt by the purchaser, or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(l) "Most closely competitive seller of the same class" means a seller who

(1) Performs the same production or marketing function,

(2) Is of a similar type,

(3) Deals in the same type of products,

(4) Sells to the same type of purchaser, and

(5) Serves approximately the same general area.

(m) "Most similar product" means a product which, as compared with another product,

(1) Has substantially the same cost at the time of determination,

(2) Is made from ingredients of the same type and in the same proportionate amounts, and, as to those products containing butterfat and/or milk solids not fat, has the same butterfat and milk solids not fat content,

(3) Has approximately the same weight per unit of volume when ready for sale, and

(4) Belongs to a type which would ordinarily be sold in the same price line.

(n) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers, or kinds of purchasers, or for purchasers located in different areas or for different quantities, or under different conditions of sale.

(o) "Sale at retail" means a sale to an ultimate consumer. It shall not include a sale to (1) an industrial or commercial user, (2) the United States, or any other government, or any political subdivision of the foregoing, (3) any institution, or (4) any agency of any of the foregoing.

(p) "Sale at wholesale" means a sale to a person other than an ultimate consumer. It shall also include a sale to (1) an industrial or commercial user, (2) the United States, or any other government, or any political subdivision of the foregoing, (3) any institution, or (4) any agency of any of the foregoing.

(q) Unless the context otherwise requires, the definitions in Section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, as amended, shall apply to the terms used in this regulation.

ARTICLE II—MAXIMUM PRICES; PRICING METHODS

SEC. 2.1 *Base periods.* (a) The base period for ice cream and any product similar to or in imitation of ice cream is March 1942. This base period is the same as the base period in the General Maximum Price Regulation.

(b) The base period for sherbet, ice, ice milk, and any product similar to or in imitation of these products and liquid ice cream mix, and containing 50% or less of milk ingredients by weight or volume, is March 1942. This base period is the same as the base period in the General Maximum Price Regulation.

(c) The base period for liquid ice cream mix, and any product similar to or in imitation of the products listed in paragraph (b) above and this paragraph (c) and containing more than 50% of milk ingredients by weight or volume, is September 28, 1942 to October 2, 1942, inclusive. This base period is the same as the base period in Maximum Price Regulation No. 280.

SEC. 2.2 *Modifications since base periods.* Any reference in this regulation to the established maximum price, or to the highest price charged, during an applicable base period, or to the established maximum price of, or to the highest price charged by a competitive seller of the same class, shall include any adjustment in, or determination of, a maximum price heretofore made pursuant to a regulation of the Office of Price Administration, which adjustment or determination is in effect at the time of any determination under this regulation.

SEC. 2.3 *Maximum prices.* Except for the changes in butterfat and/or milk solids not fat content and accompanying changes, if any, in maximum prices as provided in this Article II, the maximum price for sales of any product covered by this regulation is:

(a) For any product sold by the particular seller on or before February 15, 1945 and for which a maximum price has been established under the General Maximum Price Regulation or Maximum Price Regulation No. 280, whichever was applicable, such established maximum price, excluding any modifications therein made under Amendment 119 to Supplementary Regulation No. 14 (now Supplementary Regulation No. 14A) to the General Maximum Price Regulation, which Amendment is revoked as of the effective date of this regulation; and

(b) For any product sold by the particular seller for the first time after February 15, 1945,

(1) The highest price charged by the seller during the applicable base period to a purchaser of the same class for the most similar product; or

(2) If the maximum price cannot be determined under subparagraph (1) the highest price charged during the applicable base period to a purchaser of the same class by the most closely competitive seller of the same class

(i) For the same product, or

(ii) If no charge was made for the same product, for the most similar product; or

(3) If the maximum price cannot be determined under subparagraph (1) or

(2) the highest price charged by the seller during the applicable base period to a purchaser of a different class, adjusted to reflect the customary price differential between the two classes of purchasers

(i) For the same product; or

(ii) If no charge was made for the same product, for the most similar product; or

(4) If the maximum price cannot be determined under subparagraphs (1)

(2) or (3) the highest price charged during the applicable base period by the most closely competitive seller of the same class to a purchaser of a different class, adjusted to reflect the customary price differential between the two classes of purchasers.

(i) For the same product, or

(ii) If no charge was made for the same product, for the most similar product.

(5) No sale of a product for which a maximum price is determined under this paragraph (b) may be made until

(i) The seller has notified the Office of Price Administration, Washington, D. C., in writing, of the proposed maximum price determined under this paragraph (b) and the basis upon which he determined it, and

(ii) The price has been approved by the Price Administrator. However, the proposed price shall be deemed to be approved 30 days after mailing the notification (or 30 days after mailing all information required to complete the notification) unless, within that time, the Office of Price Administration notifies the seller that his proposed price has been disapproved or revised.

SEC. 2.4 *Where unable to price under section 2.3.* (a) After February 15, 1945, if the maximum price cannot be determined under section 2.3, the seller shall file an application with the Office of Price Administration, Washington, D. C., requesting approval of a proposed maximum price. The Price Administrator may, by written order, disapprove or revise any proposed maximum price reported, so as to bring it into line with the level of maximum prices otherwise established by this regulation.

(b) No sale of a product for which a maximum price is proposed under this section may be made until the price has been approved by the Price Administrator. The proposed price shall be deemed to be approved 30 days after mailing the application (or 30 days after mailing all information required to complete the application) unless, within that time, the Office of Price Administration notifies the seller that his proposed price has been disapproved or revised.

(c) The application shall set forth the following:

(1) Name and location of applicant;

(2) Name and complete description of the product to be priced, including a statement of the chemical analysis of applicant's product and of the product with which it is being compared, made by a reputable chemist not connected with the applicant;

(3) Reasons why a maximum price cannot be determined under section 2.3;

(4) Description of market or markets where the product is to be sold and delivered;

(5) The method used in figuring the proposed maximum price; and

(6) Reasons why applicant believes the proposed maximum price is in line with the level of maximum prices otherwise established pursuant to this regulation.

SEC. 2.5 *Liquid ice cream mix and ice cream, where milk solids reduced—pricing at wholesale—(a) Where butterfat content reduced—*(1) Where, pursuant to an order of the War Food Administration, or any other agency of the Federal Government, a manufacturer is permitted during any period to use in the manufacture of liquid ice cream mix and ice cream only a certain percentage of the total milk solids or butterfat, used by him during any prior period, he may reduce the butterfat content of any liquid ice cream mix or ice cream for which he has an established maximum price under section 2.3, without reducing such established maximum price, as follows:

Percentage of permitted use when expressed in terms of either total milk solids or butterfat in WFA or other order:	Permitted Butterfat reduction (by weight) without reduction in price
65%-----	2½%
• More than 65% but less than 80%-----	1%
80% or more-----	No reduction

(2) If the butterfat content of such liquid ice cream mix or ice cream, for which the seller has an established maximum price under section 2.3, is reduced more than the percentage permitted in subparagraph (1) above, then the seller shall reduce such established maximum price for liquid ice cream mix 4¢ per gallon, and for ice cream 2¢ per gallon, for each 1% or fraction thereof that the butterfat content is reduced in excess of the permitted reduction, with proportionate reductions for part of a gallon: *Provided, however* That where the seller has established maximum prices under section 2.3 for liquid ice cream mixes or ice creams having different percentages of butterfat content, his maximum price for a liquid ice cream mix or an ice cream with reduced butterfat content shall be determined on the basis of that liquid ice cream mix or ice cream which, prior to reduction in butterfat content, was the next higher in butterfat content as compared to the new product: *Provided further* That the seller's maximum price for sales of any product covered by this regulation, which has the same butterfat and milk solids not fat content as a product for which the seller has established a maximum price under section 2.3, shall be such maximum price established under section 2.3.

(b) *Where milk solids not fat reduced.* If the milk solids not fat content of liquid ice cream mix or ice cream for which the seller has an established maximum price under section 2.3 is reduced, then the seller shall reduce such established maximum price for liquid ice cream mix 2¢ per gallon, and for ice cream 1¢ per gallon, for each 1% or frac-

tion thereof that the milk solids not fat content is reduced, with proportionate reductions for part of a gallon.

SEC. 2.6 Sherbets and ices, where ice cream price reduced; pricing at wholesale. The established maximum price of any sherbet or ice which has the same established maximum price as an ice cream shall, if the established maximum price of the ice cream is reduced under section 2.5, be reduced in the same amount as the established maximum price of such ice cream is reduced.

SEC. 2.7 Ice milk, where milk solids reduced, pricing at wholesale—(a) Where butterfat content reduced. If the butterfat content of an ice milk for which the seller has an established maximum price is reduced, the seller shall reduce such established maximum price 2¢ per gallon, for each 1% or fraction thereof that the butterfat content is reduced, with proportionate reductions for part of a gallon.

(b) Where milk solids not fat reduced. If the milk solids not fat content of any ice milk for which the seller has an established maximum price is reduced, the seller shall reduce such established maximum price 1¢ per gallon for each 1% or fraction thereof that the milk solids not fat content is reduced, with proportionate reductions for part of a gallon.

SEC. 2.8 Reductions in maximum retail prices of products covered by this regulation—(a) Retailer—(1) Where supplier reduces price for same product. A retailer shall reduce his established maximum price for sales at retail of any product covered by this regulation 2¢ per quart and 1¢ per pint for each 3¢ per gallon reduction in his supplier's price for such product.

(2) Where supplier reduces price because of reduction in milk solids content. A retailer's maximum price for sales at retail of any product covered by this regulation, with a butterfat or milk solids not fat content lower than that of a product for which he has an established maximum price under this regulation, shall be such established maximum price minus 2¢ per quart and 1¢ per pint for each 3¢ per gallon that his supplier's price of the product with reduced butterfat or milk solids not fat content is lower than that of the product for which he has an established maximum price under this regulation.

(b) Manufacturing retailer A manufacturing retailer's maximum price for sales at retail of any product covered by this regulation, with a butterfat or milk solids not fat content lower than that of a product for which he has an established maximum retail price under this regulation, shall be determined as follows:

(1) He shall compute the reduction, if any, in his per gallon price in accordance with the appropriate provisions of sections 2.5, 2.6 or 2.7, as if these sections were applicable to sales at retail.

(2) He shall reduce the maximum price already established for sales of the product prior to reduction 2¢ per quart and 1¢ per pint for each reduction of 3¢ per gallon as computed under subparagraph (1)

SEC. 2.9 Calculations. All calculations shall be carried to the fourth decimal place of a cent. If the result contains a fraction of a cent then

(a) For sales at wholesale such fraction may be rounded to the nearest $\frac{1}{4}$ ¢, and

(b) For sales at retail such fraction, if less than $\frac{1}{2}$ ¢ must be reduced to the even cent, and if $\frac{1}{2}$ ¢ or more may be increased to the even cent.

SEC. 2.10 Notice to retailers. Every seller at wholesale who reduces the butterfat and/or milk solids not fat content or for any reason reduces his established maximum price of any product covered by this regulation shall, unless he has already done so, at the time of making the first delivery thereafter, give every purchaser written notice

(a) Of the reduction in butterfat and/or milk solids not fat content, and the reduction, if any, in such wholesaler's established maximum price to the purchaser, and,

(b) If such purchaser is a retailer, the retailer's required reduction, if any in his established maximum price for sales at retail under this regulation.

SEC. 2.11 Customary discounts, allowances and practices. (a) No person shall change any trade practice, or any customary discount, allowance or other price differential to a purchaser or class of purchasers, if the change results in a price higher than the maximum price established for that purchaser or class of purchasers.

(b) No person shall charge a larger proportion of transportation costs incurred in the delivery of any product covered by this regulation than he charged to a purchaser or class of purchasers during the applicable base period.

SEC. 2.12 Federal and State taxes. Any tax incident to the sale, delivery or processing of any product covered by this regulation, imposed by statute or ordinance of the Federal government or of a State or any of its political subdivisions, shall be treated as follows in determining the maximum price for such product, and in preparing records and reports required by this regulation:

(a) **Transportation tax.** The seller may not collect the increase of 3% provided for in the tax on transportation of property imposed by section 620 of the Revenue Act of 1942, if his maximum price is established f. o. b. the purchaser's premises or place of business; but where the maximum price is established f. o. b. seller's place of business, the buyer may pay the increase of 3% in the tax. Where, however, a seller changes his sales from f. o. b. seller's place of business to f. o. b. purchaser's premises or place of business, he may collect the increase of 3% in the tax from the purchaser; but where he changes his sales from f. o. b. purchaser's premises or place of business to f. o. b. seller's place of business, he must deduct from his price f. o. b. purchaser's premises or place of business the full amount of transportation charges including the 3% increase in tax.

(b) **Statement and collection of tax or tax increase.** (1) If a seller during the base period did not customarily state and collect the amount of tax separately

from the purchase price, he may not now collect such amount in addition to the maximum price.

(2) In all other cases any seller may collect the amount of any tax or tax increase which he actually pays, provided he separately states and collects it, and provided further that the statute or ordinance allows him to do so; except that an increase since the base period in a tax in effect during that period may be collected by a seller who did not separately state and collect it during the base period, to the extent of the increase, provided the seller separately states and collects the amount of such increase, and provided further that the statute or ordinance allows him to do so.

ARTICLE III—GENERAL PROVISIONS

SEC. 3.1 Export sales. The maximum price at which any person may export any product covered by this regulation shall be determined in accordance with the Second Revised Maximum Export Price Regulation, as amended.

SEC. 3.2 Records and reports—(a) Base period records. Each seller shall:

(1) Prepare and thereafter keep for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to prices for each grade of the products covered by this regulation, delivered or offered for delivery during the applicable base period, and

(2) Prepare and thereafter keep for examination by any person during ordinary business hours (unless already prepared and kept for examination) for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a statement on the basis of available information and records, showing:

(i) The highest prices which he charged for each grade of the products covered by this regulation, delivered or offered for delivery during the applicable base period, together with an appropriate description and identification of each grade, and

(ii) All his customary allowances, discounts, and other price differentials.

(3) Any person, other than a person selling at retail, instead of making the statement in subparagraph (2) above available to any person, may file it with the District Office of the Office of Price Administration within the geographical jurisdiction where the major portion of his sales of the products covered by this regulation are made. The information will not be publicized or disclosed unless it is contrary to the purposes of this regulation to withhold it.

(b) **Current records.** (1) Each seller shall make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all records of the same kind as he customarily kept, relating to prices charged for each grade of the products covered by this regulation and records showing as precisely as possible the basis upon which he determined such prices, together with an appropriate description and identification of each grade.

(2) Every seller at wholesale and manufacturing retailer, who reduces the butterfat or milk solids not fat content of any product covered by this regulation shall prepare, on the basis of available information and records, and file with the Office of Price Administration, Food Price Division, Dairy Products Branch, Washington, D. C., a report, unless he has already done so, showing:

(i) Butterfat and milk solids not fat content of such product during the applicable base period;

(ii) Butterfat and milk solids not fat content after such reduction;

(iii) Selling prices of such products (a) during the applicable base period, or at the time of the first sale of a product where such first sale was made after the applicable base period, and (b) after any adjustment due to reduction in butterfat or milk solids not fat content pursuant to the provisions of Article II, for each container size; and

(iv) Average weight per gallon of ice cream during March 1942 and at the present.

(c) *Reports.* Each seller shall submit reports to the Office of Price Administration and keep other records which the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget.

(d) *Audit of reports.* The Office of Price Administration may require any seller to correct and resubmit a report which does not comply with reporting requirements.

SEC. 3.3 Sales slips and receipts. Any seller who has customarily given a purchaser a sales slip or similar receipt shall continue to do so. Upon request from the purchaser, any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the grade or trade name of each product sold and the price received.

SEC. 3.4 Transfer of business or stock in trade. If the business, stock in trade, or assets of a seller are sold or otherwise transferred after the base period, and the transferee carries on the business or continues to deal in any of the products covered by this regulation, in the same competitive area and in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee for such products sold from such separate establishment shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with this regulation.

SEC. 3.5 Posting of retail maximum prices. Each seller at retail shall post conspicuously where any product covered by this regulation is offered for sale, the current selling price, which must never exceed the ceiling price.

SEC. 3.6 Filing of retail maximum prices. Within 15 days after the first sale of any product covered by this regulation, or within 15 days after any change in the established maximum price of any such product, each seller at retail shall, unless he has already done so, file with the appropriate War Price and Rationing Board a statement showing his maximum price, the basis upon which he determined it and an appropriate description and identification of each grade or product, including its trade name, if any.

SEC. 3.7 Compliance—(a) Selling or buying above maximum prices. Regardless of any contract or obligation, no person shall sell or deliver, or buy or receive in the course of trade or business, any product covered by this regulation at a price higher than the maximum price established under this regulation. Prices lower than the maximum price may be charged and paid. This paragraph shall not apply to purchases by war procurement agencies of the United States and others exempted under Supplementary Order No. 7, issued by the Office of Price Administration.

(b) *Evasion.* No person shall exceed a maximum price, directly or indirectly, whether by commission, service, transportation, other charge or discount, premium, or other privilege, tying agreement or other trade understanding, any business practice relating to grading, labeling, or packaging, or in any other way, including but not limited to,

(1) Reducing the quality or weight of any product, including, but not limited to, reductions of butterfat or milk solids not fat content, flavoring, fruit or nuts (except as permitted in Article II) without a corresponding reduction in the established maximum price; or

(2) Compelling a person purchasing a given quantity of a product to accept delivery in the form of two or more smaller container sizes at the higher prices applicable to such sizes.

(c) *Penalties; actions and suits; damages.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension provisions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

ARTICLE IV—ADJUSTMENT, AMENDMENT AND ADJUSTABLE PRICING

SEC. 4.1 Adjustment—(a) Adjustment of manufacturer's maximum prices. (1) Either upon application in accordance with Revised Procedural Regulation No. 1 or on his own motion, the Administrator may adjust any maximum price established under this regulation for a manufacturer when it is established that:

(i) His existing maximum price is below the general price level prevailing for the same or the most similar product sold by his competitive sellers of the same class in the same general area as that in which the applicant's product is sold; and

(ii) The manufacturer is or will be unable to maintain his production at his maximum price or prices; and

(iii) The loss of his production would result in consumers having to pay higher prices for the same or the most similar product; and

(iv) An increase in his maximum price or prices will enable him to continue production; and

(v) The Administrator is of the opinion that an increase in his maximum price or prices would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act, as amended, and the Stabilization Act of 1942, as amended.

(2) The maximum price increase that may be granted under the provisions of this paragraph (a) shall not cause the applicant's price to exceed the general price level prevailing for the same or the most similar product. Subject to this limitation,

(i) An increase may be granted not to exceed the total cost of the product, or,

(ii) If the applicant's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace-time period," adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to permit production, an increase may be allowed which is estimated to yield such a profit margin. A "representative peace-time period" means the period of the years 1936 to 1939, inclusive. When 1936 to 1939 does not represent a reasonably normal pre-war (December 7, 1941) period, some other period may be used, but its use must be positively justified in the application.

(b) *Adjustment for sellers other than manufacturers.* Either upon application in accordance with Revised Procedural Regulation No. 1 or on his own motion, the Administrator may also grant an upward adjustment, limited to an amount not in excess of the actual increase granted the manufacturer pursuant to the foregoing provisions of this section, of the maximum price or prices which any particular seller other than a manufacturer may charge for any product covered by this regulation, purchased from a manufacturer who, under the provisions of paragraph (a), has been granted an increase in his price for any of such products. No increase will be granted in the price or prices any such seller other than a manufacturer may charge for any of such products unless the Office of Price Administration is of the opinion that such seller cannot reasonably be expected to absorb the increased cost out of his prevailing margin of profit realized on the resale of such product or products. Also, the adjusted maximum price granted under the provisions of this paragraph (b), to any such seller other than a manufacturer,

shall not exceed the general price level prevailing for the same weight per unit of volume, quantity, grade and quality of the same or the most similar product, sold by competitive sellers of the same class.

SEC. 4.2 Amendment. Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 4.3 Adjustable pricing. Any person may agree to sell at a price which may be increased up to the maximum price in effect at the time of delivery. But no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a modification in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon a pending request for a modification in price or to give authorization. The authorization will be given by order, except that when the contemplated revision will be the granting of an individual application for adjustment it may be given by letter or telegram.

Effective date. This regulation shall become effective February 15, 1945.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2607; Filed, Feb. 15, 1945;
4:26 p. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Housing, Amdt. 47]

OCCUPANCY IN A COOPERATIVE BY STOCK
PURCHASERS

Section 6 (b) (3) of the Rent Regulation for Housing is added to read as follows:

(3) *Occupancy by purchaser of stock in a cooperative.* (i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to a proprietary lease of such housing accommodations. It applies only to

the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

(ii) Where the cooperative was organized as such or acquired its title or leasehold interest in the structure or premises on or after February 17, 1945, or the effective date of regulation, whichever is the later, or where the purchased stock originally was issued on or after that date, no certificate shall be issued, unless on such date the cooperative was in the process of organization and the Administrator finds that substantial hardship would result from the failure to issue a certificate, or unless, at the time of issuance of the certificate, stock in the cooperative has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iii) Where the cooperative was organized and acquired its title or leasehold interest in the structure or premises before February 17, 1945, or the effective date of regulation, whichever is the later, and on that date stock in the cooperative allocated to more than 50% of the dwelling units in the structure or premises was held by the cooperative, or by another person owning more shares than those allocated to a single dwelling unit, or both, no certificate shall be issued for occupancy by a purchaser of stock so held or owned on such date, unless, at the time of issuance of the certificate, stock in the cooperative is owned or has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iv) In all other cases, including those excepted from paragraph (b) (3) (ii) and (iii) the issuance of a certificate shall be pursuant to paragraph (b) (2)

This amendment shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2639; Filed, Feb. 16, 1945;
11:50 a. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Housing, Atlantic County, Amdt. 9]

OCCUPANCY IN A COOPERATIVE BY STOCK
PURCHASER

Section 6 (b) (3) of the Rent Regulation for Housing in the Atlantic County Defense-Rental Area is added to read as follows:

(3) *Occupancy by purchaser of stock in a cooperative.* (i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises

owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to a proprietary lease of such housing accommodations. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

(ii) Where the cooperative was organized as such or acquired its title or leasehold interest in the structure or premises on or after February 17, 1945, or the effective date of regulation, whichever is the later, or where the purchased stock originally was issued on or after that date, no certificate shall be issued, unless on such date the cooperative was in the process of organization and the Administrator finds that substantial hardship would result from the failure to issue a certificate, or unless, at the time of issuance of the certificate, stock in the cooperative has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iii) Where the cooperative was organized and acquired its title or leasehold interest in the structure or premises before February 17, 1945, or the effective date of regulation, whichever is the later, and on that date stock in the cooperative allocated to more than 50% of the dwelling units in the structure or premises was held by the cooperative, or by another person owning more shares than those allocated to a single dwelling unit, or both, no certificate shall be issued for occupancy by a purchaser of stock so held or owned on such date, unless, at the time of issuance of the certificate, stock in the cooperative is owned or has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iv) In all other cases, including those excepted from paragraph (b) (3) (ii) and (iii), the issuance of a certificate shall be pursuant to paragraph (b) (2).

This amendment shall become effective February 17th, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2642; Filed, Feb. 16, 1945;
11:50 a. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Housing, Miami, Amdt. 14]

OCCUPANCY IN A COOPERATIVE BY STOCK
PURCHASER

Section 6 (b) (3) of the Rent Regulation for Housing in the Miami Defense-Rental Area is added to read as follows:

¹ 9 F.R. 11335, 11541, 11610, 11797, 12886, 12967, 14050, 14060, 14987, 15155.

¹ 9 F.R. 6819, 8054, 10163, 10634, 11349, 12415, 14987; 10 F.R. 330.

¹ 9 F.R. 14994; 10 F.R. 331.

(3) *Occupancy by purchaser of stock in a cooperative.* (i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to a proprietary lease of such housing accommodations. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

(ii) Where the cooperative was organized as such or acquired its title or leasehold interest in the structure or premises on or after February 17, 1945, or the effective date of regulation, whichever is the later, or where the purchased stock originally was issued on or after that date, no certificate shall be issued, unless on such date the cooperative was in the process of organization and the Administrator finds that substantial hardship would result from the failure to issue a certificate, or unless, at the time of issuance of the certificate, stock in the cooperative has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iii) Where the cooperative was organized and acquired its title or leasehold interest in the structure or premises before February 17, 1945, or the effective date of regulation, whichever is the later, and on that date stock in the cooperative allocated to more than 50% of the dwelling units in the structure or premises was held by the cooperative, or by another person owning more shares than those allocated to a single dwelling unit, or both, no certificate shall be issued for occupancy by a purchaser of stock so held or owned on such date, unless, at the time of issuance of the certificate, stock in the cooperative is owned or has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iv) In all other cases, including those excepted from paragraph (b) (3) (ii) and (iii) the issuance of a certificate shall be pursuant to paragraph (b) (2).

This amendment shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2640; Filed, Feb. 16, 1945;
11:50 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, New York City,¹ Amdt. 17]

OCCUPANCY IN A COOPERATIVE BY STOCK PURCHASER

Section 6 (b) (3) of the Rent Regulation for Housing in the New York City Defense-Rental Area is added to read as follows:

(3) *Occupancy by purchaser of stock in a cooperative.* (i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to a proprietary lease of such housing accommodations. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

(ii) Where the cooperative was organized as such or acquired its title or leasehold interest in the structure or premises on or after February 17, 1945, or the effective date of regulation, whichever is the later, or where the purchased stock originally was issued on or after that date, no certificate shall be issued, unless on such date the cooperative was in the process of organization and the Administrator finds that substantial hardship would result from the failure to issue a certificate, or unless, at the time of issuance of the certificate, stock in the cooperative has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iii) Where the cooperative was organized and acquired its title or leasehold interest in the structure or premises before February 17, 1945, or the effective date of regulation, whichever is the later, and on that date stock in the cooperative allocated to more than 50% of the dwelling units in the structure or premises was held by the cooperative, or by another person owning more shares than those allocated to a single dwelling unit, or both, no certificate shall be issued for occupancy by a purchaser of stock so held or owned on such date, unless, at the time of issuance of the certificate, stock in the cooperative is owned or has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iv) In all other cases, including those excepted from paragraph (b) (3) (ii) and (iii), the issuance of a certificate shall be pursuant to paragraph (b) (2).

¹ 9 F.R. 14987; 10 F.R. 831.

This amendment shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2641; Filed, Feb. 10, 1945;
11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1, Amdt. 01]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.3 (d) of Revised Supplementary Regulation No. 1 is amended to read as follows:

(d) (1) All milk products, including butter, cheese, condensed and evaporated milk, ice cream mix, ice cream, ice milk, powdered milk, casein, malted milk powder and any other commodity which is processed or manufactured from cows' milk and composed of milk ingredients constituting more than fifty per cent by weight or volume; but this exception shall not extend to fluid milk or cream sold at wholesale or retail. The term "sold at wholesale," as here used, refers to the sale, by any person, of fluid milk or cream in bottles or paper containers, to any person, including an industrial or commercial user, other than the ultimate consumer.

(2) Sherbet, ice and combinations and imitations of ice cream mix, ice cream, ice milk, sherbet or ice.

This amendment shall become effective February 15, 1945.

Issued this 15th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2609; Filed, Feb. 15, 1945;
4:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A,¹ Amdt. 22]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73a (a) (1a) of Supplementary Regulation No. 14A to the General Maximum Price Regulation is hereby revoked.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9835, 9885, 10514, 12793, 13060, 13724, 15259, 15705, 16604, 16428, 16919, 17199; 9 F.R. 843, 1328, 2176, 8655, 4985, 5586, 6451, 8996, 10358, 14171, 15108.

This amendment shall become effective February 15, 1945.

Issued this 15th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2610; Filed, Feb. 15, 1945;
4:27 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 128]

FOUNTAIN PENS AND MECHANICAL PENCILS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 76 is amended in the following respects:

1. Paragraph (a) (2) is amended to read as follows:

(2) For the purposes of this section, a fountain pen is a writing device equipped to hold writing fluid in its barrel; and a mechanical pencil is a writing device equipped with a mechanism for propelling a movable core of marking material. In the case of a fountain pen customarily sold with renewable or replaceable points which screw into the section or barrel, the term "fountain pen" includes both the holders and the points, even though they may be sold separately. Otherwise, parts of fountain pens and mechanical pencils are not covered.

2. Paragraph (h) is amended to read as follows:

(h) *Retailers' applications for retail ceiling prices.* On and after February 1, 1945, a retailer may not offer for sale, sell, or deliver a fountain pen or mechanical pencil which is not listed in paragraph (p) or for which a retail ceiling price has not been approved under paragraph (d) or for which the supplier cannot furnish the retailer with a statement of the retail ceiling price established for the manufacturer as required by Maximum Price Regulation No. 564, until he has applied by letter to the Office of Price Administration, Honolulu 2, T. H., and until a retail ceiling price has been approved for the article, under this paragraph, in line with the level of retail ceiling prices established by this section. The application should set forth a complete description of the article, the model designation, the supplier's name and address, the name of the manufacturer (if known) the acquisition cost, and a proposed retail ceiling price.

The proposed retail ceiling price shall be deemed approved 20 days after mail-

ing the application (or all additional information which may be requested) unless, within that time the Office of Price Administration notifies the seller that his proposed price has been disapproved.

3. Paragraph (p) is amended by including the following manufacturers and adding retail ceiling prices for their fountain pens and mechanical pencils as set forth below:

Manufacturer	Brand	Article	Model	Retail ceiling price
Baff Manufacturing Co.		Mechanical pencil	572, 6169X, 6350, 6352	\$0.10
		Do.	567, 6179	0.15
Columbia Pencil Co.		Do.	241	0.09
Louis F. Dow Co.		Do.	559	0.25
Esquire Manufacturing Co.	Lord Chesterfield	Fountain pen	LC1	1.00
Frank Feldman	Imperial	Fountain pen	559	0.85
	Do.	Do.	27	1.85
	Do.	Desk fountain pen	1668	0.75
	Do.	Do.	1669	1.81
	Do.	Pen-pencil set	37	2.00
F. W. Holmes Sons		Mechanical pencil	240	2.20
		Do.	1834, 2704	2.80
		Do.	185, 550, 550 1/2	3.25
		Do.	550	3.00
		Do.	275	4.45
		Do.	531	4.80
		Do.	526	6.65
		Do.	528	8.00
King, Larsen & McMahon	Penman	Fountain pen	325	1.55
Pen-N-Pencil Co.	Marvel	Mechanical pencil	85	1.00
		Do.	83	1.50
		Do.	867	2.00
Schlusser Mfg. Co.	Wonder	Mechanical pencil	18	0.75
Servall Pen Co.	Wonder	Fountain pen	168, 24, 33	0.85
		Do.	59, 55, 55T	0.84
		Do.	449, 44RT, 44RG	2.07
		Do.	48RT, 48RG	2.22
Sleane Pen Company	Improve, West End	Fountain pen	225, 226, 227	0.55
		Do.	227, 228, 229	0.84
		Do.	622, 628	2.07
		Do.	672, 679	2.22

4. Paragraph (p) is amended by adding the following retail ceiling prices for fountain pens and mechanical pencils to the lists of manufacturers already included in the section:

Manufacturer	Brand	Article	Model	Retail ceiling price
Associated Pen Co.		Fountain pen	PLS-1	\$0.51
		Do.	413	0.75
Eagle Pencil Co.	Scout	Fountain pen	5173	2.50
		Mechanical pencil	75-00	0.17
Globe Pencil Advertising Co.		Do.	63	0.64
Rite-Rite Mfg. Co.		Do.	550	1.00

5. Paragraph (p) is amended by revising the listings of the following manufacturers to read as follows:

Manufacturer	Brand	Article	Model	Retail ceiling price
C. E. Barrett & Co.	Aristocrat	Fountain pen	320, 3341	\$2.50
	Webster	Do.	5731, 5752	2.50
	Do.	Do.	5759	5.00
	Gold Medal	Do.	141, 241, 341, 450, 741, 841, 941	4.00
	Do.	Do.	250, 2741, 2841, 2941, 3041, 3141, 3241, 3341, 4041, 4141, 4241, 4341, 4441	5.50
	Do.	Do.	720, 1241, 1541, 1741, 1841, 1941, 2341	7.50
	Do.	Desk pen	320D	3.50
	Do.	Do.	720D	5.50
	Do.	Desk pencil	720D	5.50
	Aristocrat	Pen-pencil set	192	4.50
	Webster	Do.	5753, 5754	5.00
	Do.	Do.	5759	7.00
	Gold Medal	Do.	441, 541, 550S, 641, 1041, 1141, 1241	5.50
	Do.	Do.	930, 3341, 3441, 3541, 3641, 3741, 3841, 4341, 4541, 4741, 4841, 4941, 5041	9.50
	Do.	Do.	1150, 2141, 2241, 2341, 2441, 2541, 2641	11.50
	Do.	Do.	1241, 1375, 1441	13.75
Eberhard Faber	Permapoint	Fountain pen	1201, 1201C, 1201L	1.11
	Do.	Do.	351	0.37
	Do.	Do.	1201	3.22
	Do.	Do.	691	0.72
	Do.	Renewable fountain pen point	1253	0.53
	Do.	Fountain pen holder	1201, 1201L	0.79
	Do.	Desk pen	1201	1.09
	Do.	Mechanical pencil	182	0.25
	Do.	Do.	1250, 1250C, 1250L	0.59

*Copies may be obtained from the Office of Price Administration.

Manufacturer	Brand	Article	Model	Retail ceiling price
New Diamond Point Pen Co., Inc.	Moz.....	Fountain pen.....	4.....	\$1.13
Romeo Products Co.....	Do.....	do.....	16.....	1.80
Salz Brothers, Inc.....	Lafayette, Skylark.....	do.....	101.....	1.75
		do.....	700SP.....	0.83
		Mechanical pencil.....	77P.....	0.50
		Do.....	701.....	0.53
Southern Pen Co.....	Champion.....	Fountain pen.....	114.....	0.29
	Do.....	do.....	3, 5, 9, 9-1, 3-SPA, 5-SPA, 9-SPA, 9-SPA.....	0.50
	Do.....	do.....	7, 7-SPA.....	0.52
	Do.....	do.....	6, 6-SPA.....	0.54
	Do.....	do.....	8, 8-SPA.....	0.56
	Do.....	Mechanical pencil.....	11, 11-1.....	0.21
	Do.....	do.....	13.....	0.22
	Do.....	do.....	10, 10-1.....	0.26
	Do.....	do.....	12.....	0.27

This amendment shall become effective as of February 1, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2627; Filed, Feb. 16, 1945; 11:46 a. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[RMFR 125, Amdt. 7]

NONFERROUS CASTINGS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 125 is amended in the following respects:

1. Section 1395.1 (b1) (5) *Report of small orders*, is revoked.

2. Section 1395.12 is amended to read as follows:

§ 1395.12 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment*—(1) *When available*. The Office of Price Administration may by order adjust any maximum price established by this regulation, whenever it finds, from an application for adjustment or on its own motion, that the price impedes or threatens to impede production of one or more non-ferrous castings, the production of which aids directly in the war program or is not inconsistent with the uses of plant, materials and manpower permitted by the authorities charged with the prosecution of the war.

(2) *Principal consideration*. Principal consideration will be given to the overall profit or loss of the seller before income and excess profits taxes. Wherever possible, this consideration will be based on the seller's future annual earnings (here called "projected profit") as estimated by the Office of Price Administration on the basis of the actual cur-

rent earnings. The projected profit will be compared with the profit which, on the basis of information made available to it by industry the Office of Price Administration considers adequate to ensure continued production. Where a company has been in business continuously from 1936 to date in the manufacture of non-ferrous castings, it may at its option submit financial data, including balance sheets and profit and loss statements, for the years 1936 to 1939 inclusive. In the event that the average profit for these years, adjusted for changes in invested capital, exceeds the criteria which would otherwise be used by the Office of Price Administration, the foundry's own experience may be considered in determining the amount of adjustment.

(3) (Revoked)

(4) *Amounts of adjustment*. Increases in price may be permitted in an amount considered sufficient by the Office of Price Administration to ensure continued production.

(5) *Prices pending disposition of application*. Upon the filing of an application for adjustment or within five days prior thereto, and until final disposition of the application, contracts may be entered into or proposed and deliveries made at the prices requested in the application, except that the seller may not receive and the buyer may not pay the amount by which the price exceeds the maximum price until an order granting the requested adjustment has been issued. In order to sell at the price requested in the application, the seller must show the following on his invoice:

(i) The maximum price established for the casting in question.

(ii) A statement that the quoted price is subject to approval by the Office of Price Administration.

(iii) A statement that an appropriate application has been filed or will be filed within five days with the Office of Price Administration.

(6) *Form of application*. An application for adjustment will be made on the applicable Forms OPA 677-115b or OPA 677-115d, as the case may be, set forth as §§ 1395.20 and 1395.22 of this regulation. Such forms may be obtained from any regional office of the Office of Price Administration or may be copied by the applicant from this regulation. Every

application for adjustment shall contain a statement, signed by the seller, that the statements made in the application are known by the seller or a duly authorized officer or partner of the seller to be true and complete.

(7) *Place for filing applications and number of copies*. An application for adjustment under this section must be filed with the Office of Price Administration, Washington 25, D. C. Only one copy need be filed. It is recommended, however, that the applicant fill out his application in duplicate and retain one copy for his own files.

(8) *Supplementary Order No. 9 and Procedural Regulation No. 6 not to apply*. Supplementary Order No. 9, issued by the Office of Price Administration, dealing with applications for adjustment under Procedural Regulation No. 6 of maximum prices of sales pursuant to Government contracts or subcontracts, shall not apply to applications for the adjustment of the maximum price of a non-ferrous casting.

(b) *Petitions for amendment*. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

3. Section 1395.20, Appendix C, is amended to read as follows:

§ 1395.20 Appendix C.

OPA Form 677-115b
(Rev. 1-45)

Approval waived by
the Budget Bureau

This form may be reproduced without change

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

NON-FERROUS CASTINGS

APPLICATION FOR ADJUSTMENT UNDER REVISED
MAXIMUM PRICE REGULATION NO. 125 OF MAX-
IMUM PRICE OF AN INDIVIDUAL CASTING, OR A
GROUP OF CASTINGS SOLD AT THE SAME PRICE

Mail to

Non-Ferrous Metals Branch
Office of Price Administration (653)
Washington 25, D. C.

Name of company

Street address

City, postal zone, and state

INSTRUCTIONS

This form is to be used only in applying for a price increase for an individual casting, or a group of castings sold at the same price. To apply for an adjustment of all maximum prices established by RMFR 125, use OPA Form 677-115d; to apply for a change in pricing method or formula, use OPA Form 677-115f.

If your application relates to more than one individual casting or to more than one group of castings sold at the same price, fill in Sections E, F, and G for each casting or group of castings, attaching additional pages to this form. Supplemental sheets are available for the purpose.

If a large number of individual castings are involved, write in advance of filing an application for suggestions as to simplification of procedure.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 3202, 3990, 7249, 8878, 8948, 10780; 8 F.R. 1271, 2597, 2721; 9 F.R. 576, 3856, 5590, 12266.

E CURRENT COSTS OF PRODUCING CASTING (OR GROUP OF CASTINGS) FOR WHICH ADJUSTMENT IS REQUESTED

Enter below your estimate of current costs per pound or per piece, from which you have derived the price requested for the casting here considered. The items of cost outlined below are those commonly found in pricing formulas. Disregard any which do not appear as separate items in your own pricing method or formula and make any alteration to the schedule needed to adapt it to your method of price determination.

The items marked with an asterisk (*) are overhead items. Indicate in the space provided whether these overhead costs are estimated as percentages of direct labor costs or at flat rates per hour or per day entering the percentage or flat rate factors used. If overhead is allocated as a percentage of direct labor costs of individual departments, Items 2b, 3b and 4b will be used. If it is allocated on the basis of direct labor costs for the entire foundry, Item 6 will be used. If it is allocated on the basis of direct labor costs for foundry and machine shop combined, Item 10 will be used. If a combination of these methods is employed all of these items may be used.

These overhead items must be substantiated by the profit and loss statement submitted for your most recent accounting period. Therefore, as noted in section C the profit and loss statement for that period must show a breakdown of overhead costs comparable to that used in the price determination and must segregate direct labor costs from other labor costs wherever they are the basis for allocating overhead.

ESTIMATE OF CURRENT COSTS

	Items of cost	Cents per pound or piece
1 Metal:		
a	Purchase price	
b	Metal loss allowance	
c	Melting cost	
2 Molding:		
a	Direct labor	
b	Overhead at —% or —¢ per hour or —¢ per day	
3 Coremaking:		
a	Direct labor	
b	Overhead at —% or —¢ per hour or —¢ per day	
4 Cleaning:		
a	Direct labor	
b	Overhead at —% or —¢ per hour or —¢ per day	
5 Total (Items 1 through 4)		
6 General foundry overhead at —% or —¢ per hour or —¢ per day		
7 Machining:		
a	Direct labor	
b	Overhead at —% or —¢ per hour or —¢ per day	
8 Other direct costs of manufacturing (such as test bars, heat-treating, X-ray, etc.):		
a		
b		
c		
9 Total (Items 5 through 8)		
10 General manufacturing overhead at —% or —¢ per hour or —¢ per day		
11 Allowance for defectives at —%		
12 Total manufacturing cost (Items 9 through 11)		
13 Administrative and selling overhead at —% or —¢ per hour or —¢ per day		
14 Outside service		
15 Delivery		
16 Total cost (Items 12 through 15)		
17 Allowance for profit		
18 Total (Items 16 plus 17)		
19 Requested Price		
20 Present Maximum Price		

A INCREASE REQUESTED (Fill in either 1 or 2 below)

- 1 Cents per pound per lb or per piece —¢ per pc
- 2 Percent of present price —%

B REASONS FOR REQUESTING PRICE INCREASE

Attach a statement of your reasons for requesting the price increase. Explain wherein current costs as shown in Section E, differ significantly from costs on October 15, 1941 (the basis of pricing under RMPR 125). If changes in current costs are expected within the remainder of the current fiscal year, explain and give an estimate of the effect on pricing. Include an estimate based on present prices of your net dollar sales of all castings subject to RMPR 125 in your current fiscal year.

C RECENT FINANCIAL STATEMENTS

Submit profit and loss statements and related balance sheets for your last two fiscal years and for completed accounting periods of your current fiscal year.

If your company sells products other than non ferrous castings subject to RMPR 125, submit the statements for the company as a whole and in addition submit profit and loss statements covering foundry operations alone for the same fiscal periods. If separate figures for the foundry operations are not available, submit your best estimates of net sales and direct costs of castings subject to RMPR 125; also allocations of overhead, general administrative and selling expenses to these products indicating bases of allocation. This last requirement will be waived, and overall statements accepted in place of segregated statements, where castings subject to RMPR 125 represent 80% or more of total sales. (The assistance of an OPA accountant may be requested, if the requirements of this paragraph prove unduly burdensome).

Profit and loss statements should show the following items separately:

- (1) Net sales in dollars and in pounds, of non ferrous castings subject to RMPR 125
- (2) Cost of sales:
 - (a) Metal costs.
 - (b) Production labor (showing separately any payments to owners or officers included therein)
 - (c) Other manufacturing costs (showing separately any payments to owners or officers included therein)
- (3) General, administrative and selling expenses (showing separately payments to owners or officers and directors)
- (4) Amounts charged for depreciation (other than amount included in cost of sales), amortization and contingency reserves
- (5) Net income before Federal and State corporate income and excess profits taxes
- (6) Corporate income and excess profit taxes (after deduction of postwar credit)

In addition, the profit and loss statements which are submitted for your most recent fiscal period must show a breakdown of costs that is comparable to the breakdown employed in the estimate of per pound or per piece current costs given in Section E of this form. For instance, if in cost estimates overhead factors are figured separately for molding, coremaking and cleaning the profit and loss statement must break down overhead costs on a corresponding basis. Similarly, if in cost estimates overhead is allocated as a percent of direct labor, the profit and loss statement must segregate direct and indirect labor.

Note: If Financial Report Forms A or B have been submitted to OPA by your company, no information which duplicates material contained in these reports need be submitted, but a statement should be attached that 'Financial Report Forms A (or B) have been submitted to OPA for the following fiscal periods:—'

D 1930-39 FINANCIAL STATEMENTS

At your option you may submit in addition to the foregoing financial statements, corresponding statements for the years 1930-39. If you submit such statements, your earnings experience in these years will be considered in determining your eligibility for the increase in price requested and the amount of adjustment to which you are entitled will be related either to your average profit in these years, or to the profit which OPA considers adequate to ensure your continued production, whichever is higher. In general, the profit considered adequate by this Office has proved higher than the average profit in the period 1930-39.

F—DESCRIPTION OF CASTING (OR GROUP OF CASTINGS) FOR WHICH ADJUSTMENT IS REQUESTED

If this application covers a group of castings, give general description of group as a whole, indicating ranges in weight, cores per castings and castings per mold.

1	Customer a. Name
	b. Address
2	Pattern Number
3	Description of Casting
4	End Use (W. P. B. Definition)
5	Priority Rating
6	Type of Pattern
7	For How Long a Time Have You Made This Casting?
8	Quantity Usually Ordered
9	Cores Per Casting
10	Method of Molding (Check One) <input type="checkbox"/> Bench <input type="checkbox"/> Floor <input type="checkbox"/> Machine <input type="checkbox"/> Other (Specify)
11	Type of Mold
12	Weight Per Casting
13	Castings Per Mold
14	a. If Copper Base, Nearest OPA Ingot Identification Number
	b. If Aluminum, Customary Trade Designation Number
	c. If Magnesium, ASTM Number
15	a. If the casting was made prior to February 1, 1943, is the alloy now used the same as that used prior to February 1, 1943? <input type="checkbox"/> Yes <input type="checkbox"/> No
	b. If the answer is "No" what alloy was used previously? Ingot identification number (as above)

G—SALES OF CASTING (OR GROUP OF CASTINGS) FOR WHICH ADJUSTMENT IS REQUESTED

1	Actual Net Sales of This Casting in Last Fiscal Year	Pounds	Dollars
2	Actual Net Sales of this Casting since end of Last Fiscal Year (Enter volume of sales at each Different Price Charged)		
	Period Covered	Price Per Pound	Net Sales in pounds
	From—	To—	
3	Estimated Net Sales of this casting for remainder of current fiscal year	Pounds	
4	Unfilled orders for this casting	Pounds	

I certify that the information submitted herewith is known to me to be true and complete and estimates are believed to be correct.

Sign Here (Company officer) (Title) (Date)

4. Section 1395.21, Appendix D, is revoked.

5. Section 1395.22, Appendix E, is amended to read as follows:

§ 1395.22 Appendix E.

OPA Form 677-115d Approval waived by the Budget Bureau (Rev. 1-45)

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
NON-FERROUS CASTINGS
APPLICATION FOR ADJUSTMENT OF ALL MAXIMUM PRICES ESTABLISHED BY REVISED MAXIMUM PRICE REGULATION NO. 125

A. INCREASE REQUESTED (Fill in either 1 or 2 below)

1. Cents per pound —¢ 2. Percent of present prices —%

B. REASONS FOR REQUESTING PRICE INCREASE

Attach a statement of your reasons for requesting the price increase. Explain what conditions have arisen with respect to your business which make present prices inadequate to keep your foundry in business. Include an estimate, based on present prices, of your net dollar sales of all castings subject to RMPR 125 in your current fiscal year.

C. RECENT FINANCIAL STATEMENTS

Submit profit and loss statements and related balance sheets for your last two fiscal years, and for completed accounting periods of your current fiscal year.

If your company sells products other than non-ferrous castings subject to RMPR 125, submit the statements for the company as a whole, and in addition submit profit and loss statements covering foundry operations alone for the same fiscal periods. If separate figures for the foundry operations are not available, submit your best estimates of net sales and direct costs of castings subject to RMPR 125; also allocations of overhead, general, administrative and selling expenses to these products, indicating bases of allocation. This last requirement will be waived, and overall statements accepted in place of segregated statements, where castings subject to RMPR 125 represent 80% or more of total sales. (The assistance of an OPA accountant may be requested, if the requirements of this paragraph prove unduly burdensome.)

Profit and loss statements should show the following items separately:

- (1) Net sales, in dollars and in pounds, of non-ferrous castings subject to RMPR 125.
- (2) Cost of sales:
 - (a) Metal costs
 - (b) Production labor (showing separately any payments to owners or officers included therein)
 - (c) Other manufacturing costs (showing separately any payments to owners or officers included therein).
- (3) General, administrative and selling expenses (showing separately payments to owners or officers and directors).
- (4) Amounts charged for depreciation (other than amount included in cost of sales), amortization and contingency reserves.
- (5) Net income before Federal and State corporate income and excess profits taxes.
- (6) Corporate income and excess profits, taxes (after deduction of postwar credit).

NOTE: If Financial Report Forms A or B have been submitted to OPA by your company, no information which duplicates material contained in these reports need be submitted, but a statement should be attached that "Financial Report Forms A (or B) have been submitted to OPA for the following fiscal periods: ———."

D. 1936-39 FINANCIAL STATEMENTS

At your option, you may submit in addition to the foregoing financial statements, corresponding statements for the years 1936-39. If you submit such statements, your earnings experience in these years will be considered in determining your eligibility for the increase in price requested and the amount of adjustment to which you are entitled will be related either to your average profit in these years, or to the profit which OPA considers adequate to ensure your continued production, whichever is higher. In general, the profit considered adequate by this Office has proved higher than the average profit in the period 1936-39.

I certify that the information submitted herewith is known to me to be true and complete and estimates are believed to be correct.

Sign Here (Company officer) (Title) (Date)

6. Section 1395.23, Appendix F, is revoked.

This amendment shall become effective February 21, 1945.

NOTE: Approval of the reporting requirements of this amendment has been waived by the Bureau of the Budget.

Issued this 16th day of February 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-2626; Filed, Feb. 16, 1945; 11:45 a. m.]

Mail to
Non-Ferrous Metals Branch
Office of Price Administration (653)
Washington 25, D. C.

Name of company _____
Street address _____
City, postal zone, and State _____

INSTRUCTIONS

This form is to be used only in applying for a price increase for all castings subject to RMPR 125. To apply for an adjustment in the price of an individual casting, or a group of castings sold at the same price, use OPA Form 677-115b; to apply for formula change, use OPA Form 677-115f.

Chapter XIII—Petroleum Administrator for War

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[PAO 11, as Amended July 1, 1944, Supp. Order 16]

NATURAL GAS PRODUCTION OPERATIONS

§ 1515.22 *Supplementary Order 16 to Petroleum Administrative Order No. 11*—(a) *Scope of this order* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any exception issued pursuant to paragraph (m) of Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this supplementary order shall, to the extent provided herein, be applicable to the use of material in natural gas production operations in those counties of the states of Texas, Arkansas, and New Mexico specified in Exhibit 1, but not elsewhere. It shall not be applicable in any respect to condensate production operations or to operations in any "restricted area."

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order.

(c) *Authorized uses of material in natural gas development drilling operations.* Material may be used to drill, complete, equip, connect, or provide additions to any well in the counties specified in Exhibit 1 for the purpose of producing gas, if there is compliance with the following provisions:

(1) With respect to any well drilled for the purpose of producing gas to a depth not exceeding 1500 feet,

(i) The well must be located on a drilling unit consisting of at least 80 surface acres, and

(ii) The well must be located at least 640 feet from every lease line, property line, unit line, or subdivision line which separates unconsolidated property interests.

(2) With respect to any well drilled for the purpose of producing gas to a depth of more than 1500 feet, but not exceeding 3500 feet,

(i) The well must be located on a drilling unit consisting of at least 160 surface acres, and

(ii) The well must be located at least 910 feet from every lease line, property line, unit line, or subdivision line which separates unconsolidated property interests.

(3) With respect to any well drilled for the purpose of producing gas to a depth of more than 3500 feet but not exceeding 5500 feet,

(i) The well must be located on a drilling unit consisting of at least 320 surface acres, and

(ii) The well must be located at least 1300 feet from every lease line, property line, unit line, or subdivision line which separates unconsolidated property interests.

(4) In addition, with respect to any well drilled in compliance with the provisions of paragraph (c) (1), (c) (2) or (c) (3)

(i) The well must be located at least 900 feet from every well drilling for or producible of oil.

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for or producible of gas, nor to any well drilling for oil to or producible of oil from any pool in which the gas well is to be completed.

(iii) All separate property interests in the drilling unit upon which the well is located must first be consolidated.

(iv) The well must be drilled with due diligence to maintain a vertical well bore.

(v) If any well drilled in conformity with the provisions of this paragraph (c) is completed as a condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(d) *Authorized uses of material for deepening and recompletion of wells.* (1) Material may be used to plug-back, deepen, recondition, recomplete, rework, or treat a gas well only within that pool from which such well is producing or last produced, for the purpose of maintaining or increasing the productivity of such well.

(2) Material may be used to plug-back, or deepen, from one pool to another, complete, recomplete, recondition, rework, treat, equip, connect, or provide additions to any well for the purpose of producing gas, if with respect to the pool in which the well is recompleted, there is compliance with the provisions of paragraph (c) of this order.

(e) *Computation of attributable acreage.* (1) The acreage attributable to any oil or gas well in the counties specified in Exhibit 1 spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well.

(2) The acreage attributable to any oil or gas well in the counties specified in Exhibit 1 spudded after December 23, 1941, shall be the same as the drilling unit assigned to such well pursuant to Conservation Order M-68, Petroleum Administrative Order No. 11, or any supplement or exception thereto, or any amendment thereof.

(3) In no event need the attributed acreage for an oil or gas well be greater than that required for a new well drilled and completed pursuant to Petroleum Administrative Order No. 11, as amended July 1, 1944, or any supplement or amendment thereof.

(f) *Violations.* Any person who willfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(g) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091, E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., Pub. Laws 89 and 507, 77th Cong., Pub. Law 509, 78th Cong.)

Issued: February 16, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

EXHIBIT 1

TEXAS

County: Archer, Baylor, Brown, Callahan, Clay, Coleman, Comanche, Cooke, Coryell, Eastland, Erath, Foard, Fisher, Hamilton, Hardeman, Haskell, Hood, Jack, Jones, Knox, Lampasas, Mills, Montague, Nolan, Palo Pinto, Parker, San Saba, Somervell, Shackelford, Stephens, Stonewall, Taylor, Throckmorton, Wichita, Wilbarger, Wise, and Young.

ARKANSAS

County: Crawford, Franklin, Johnson, Pope, and Sebastian.

NEW MEXICO

County: San Juan.

[F. R., Dec. 45-2622; Filed, Feb. 16, 1945; 11:23 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 33]

PART 4003—SUBSIDIES; SUPPORT PRICES

1945 DAIRY PRODUCTION

The War Food Administrator and the Price Administrator having submitted certain information and recommendations to me with respect to the continuation of the Dairy Production Payment Program, it is hereby found necessary in order to effectuate the policy established by Executive Orders 9250 and 9328 to promulgate this directive.

Accordingly, the War Food Administration is hereby authorized and directed to continue on and after April 1, 1945, by the use of Commodity Credit Corporation funds, a program for making payments to producers of milk and butterfat. Payments shall be continued on the basis of the present rates (excluding special drought payments), except that appropriate seasonal reductions in the rates paid on whole milk and appropriate increases in the rates paid on butter fat shall be made as outlined in the War Food Administrator's announcement of February 14. Subject to the approval of the Director of the Office of Economic Stabilization, the War Food Administrator may make such minor adjustments in the rates on whole milk in particular milksheds as he determines to be neces-

sary in order to correct obvious inequities in such milksheds.

Effective date: February 14, 1945.

(E.O. 9250 and E.O. 9328)

Issued this 14th day of February 1945.

FRED M. VINSON,
Economic Stabilization Director

[F. R. Doc. 45-2600; Filed, Feb. 15, 1945;
12:33 p. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

CHALLIS NATIONAL FOREST; REMOVAL OF TRESPASSING HORSES

Whereas a number of horses are trespassing and grazing on the Sulphur Creek Allotment on the Pahsimeroi Ranger District of the Challis National Forest in the State of Idaho; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551) and the act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472) the following order for the occupancy, use, protection, and administration of land in the Pahsimeroi Ranger District of the Challis National Forest is issued:

Temporary closure from livestock grazing. (a) The Sulphur Creek Allotment on the Pahsimeroi Ranger District in the Challis National Forest is hereby closed for the period April 1, 1945, to December 31, 1945, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such allotments, pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Challis National Forest is located.

Done at Washington, D. C., this 15th day of February 1945. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 45-2618; Filed, Feb. 16, 1945;
11:18 a. m.]

¹This affects tabulation contained in 36 CFR, 261.60.

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

DEFINITION OF "AREA OF PRODUCTION" WITH RESPECT TO GRAIN, SEEDS, DRY EDIBLE BEANS AND DRY EDIBLE PEAS

NOTICE OF HEARING ON PROPOSED AMENDMENT

In the matter of the amendment of §§ 536.1 (a) and 536.2 (a), Part 536, Title 29, Chapter V (Regulations of the Wage and Hour Division defining the term "Area of Production")

Pursuant to section 7 (c) and section 13 (a) (10) of the Fair Labor Standards Act of 1938 the Administrator of the Wage and Hour Division, United States Department of Labor, issued regulations, Part 536, Title 29, Chapter V Code of Federal Regulations, as amended, defining the "area of production." In *Addison, et al. v. Holly Hill Fruit Products, Inc.*, 64 S. Ct. 1215, the United States Supreme Court held these regulations to be invalid on the ground that the "area of production" could not be defined in terms of the number of employees in the plant, and remanded the case to the District Court "with instructions to hold it until the Administrator, by making a valid determination of the area with all deliberate speed, acts within the authority given him by Congress." With a view to carrying out the duty imposed upon the Administrator by section 7 (c) and section 13 (a) (10) of the Fair Labor Standards Act, and by the order of the United States Supreme Court in the case of *Addison, et al. v. Holly Hill Fruit Products, Inc.*, it is proposed to revise the definition of the "area of production" as used in sections 7 (c) and 13 (a) (10) of the act with respect to miscellaneous agricultural and horticultural commodities including, but not limited to alfalfa, flax, flaxseed, forage crops, fur, hay, hemp, honey, hops, livestock, mint, mohair, nuts, nursery stock, peanuts, turpentine and wool.

The term "miscellaneous agricultural and horticultural commodities" for the purpose of this definition does not include Puerto Rican leaf tobacco or agricultural or horticultural commodities for which definitions have been proposed in separate hearings. Accordingly, fresh fruits and vegetables, cotton, tobacco, dairy products, poultry, eggs, grain, seeds, dry edible beans and dry edible peas are not included.

It is also proposed to revise the definition of the "area of production" as used in section 7 (c) of the Act with respect to grain, seeds, dry edible beans and dry edible peas. Accordingly,

Notice is hereby given, that it has been proposed that the "area of production" as defined in § 536.1 (a) and in § 536.2 (a), Part 536, Title 29, Chapter V Code of Federal Regulations, be redefined with respect to the above agricultural and horticultural commodities as follows:

An individual shall be regarded as in the area of production within the meaning of section 13 (a) (10) or section 7 (c),

as the case may be, if he is engaged in the operations specified in such sections in an establishment which is located in the open country or in a rural community and which obtained during the preceding calendar year 95 percent or more of the dollar value of its products from farms in its immediate locality.

As used in this paragraph "open country" or "rural community" shall not include any city or town of 2,500 or greater population according to the latest available United States Census or any area within:

3 miles of a town or city with a population of 2,500 to 9,999, or 6 miles of a city with a population of 10,000 to 24,999, or 10 miles of a city with a population of 25,000 to 99,999, or 20 miles of a city with a population of 100,000 or greater measured by the shortest usable road from the town or city limits;

And "immediate locality" shall mean any distance, as measured by the shortest usable road, of not more than 10 miles in a state with a density of population of more than 50 per square mile, or 15 miles in a state with a density of population of 20 to 50 per square mile, or 20 miles in a state with a density of population of less than 20 per square mile according to the latest available United States Census.

A hearing will be held on March 21, 1945, at 10 a. m. in the National Headquarters Office, Wage and Hour and Public Contracts Divisions, United States Department of Labor, 165 West 46th Street, New York, New York, before the Administrator or a presiding officer designated by him for the purpose of receiving evidence and hearing argument on the question whether the foregoing definition of the "area of production" with respect to the agricultural and horticultural commodities specified above, shall be adopted by the Administrator, and, if not, what other definition shall be issued by him.

Any interested person may appear at the hearing to offer evidence, *Provided*, That such person shall file with the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, not later than March 17, 1945, a notice of his intention to appear containing the following information:

1. The name and address of the person appearing and a brief identifying description of the industry with which he is concerned;
2. If such person is appearing in a representative capacity, the names and addresses of the persons or organizations he is representing;
3. Whether he is appearing in support of or in opposition to the proposed amendment, and what other amendments, if any, he is proposing; and
4. The approximate amount of time he will require for his presentation.

Written statements in lieu of personal appearance may be mailed to the Administrator, *Provided*, That all such statements shall be filed with the Administrator prior to the date of the hearing.

Signed at New York, New York, this 9th day of February 1945.

L. METCALFE WALLING,
Administrator

[F. R. Doc. 45-2601; Filed, Feb. 15, 1945;
3:43 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 855 et al.]

NORTHEAST AIRLINES, INC., ET AL., NORTH ATLANTIC ROUTE PROCEEDING

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Northeast Airlines, Inc., and other applicants for certificates of public convenience and necessity, known as the North Atlantic Route case.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on February 28, 1945, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., February 14, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-2614; Filed, Feb. 16, 1945;
11:16 a. m.]

FEDERAL TRADE COMMISSION.

[File No. 21-341]

TUNA INDUSTRY

NOTICE OF HEARING, AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 15th day of February, A. D., 1945.

Notice is hereby given that a public hearing will be held beginning at 10 a. m., March 26, 1945, in the hearing room, Federal Trade Commission Building, Constitution Avenue at Sixth Street NW., Washington, D. C., in the matter of amending the trade practice rules for the Tuna Industry as promulgated by the Federal Trade Commission on August 27, 1940.

Opportunity is extended by the Federal Trade Commission to any and all persons, partnerships, associations, or other parties or groups, affected by or having an interest in said rules or amendment thereof, including consumers, to be heard in the premises at said hearing, and to present their views, including such pertinent information, suggestions or objections as they may desire to submit. In addition to or in lieu of oral presentation at the hearing, said views, suggestions, objections, or other pertinent information may be submitted in writing, pursuant to this notice, by memorandum, letter, or other communication which should be filed with the Commission not later than March 26, 1945.

For the purposes hereof copies of said rules may be obtained from the Commission upon request.

Among the matters to be considered pursuant to this notice are the following

suggested amendments to Rules 1 and 2 of such Tuna Industry rules:

Suggested amendment to Rule 1. Add the following to Rule 1 as new paragraph (c) the present paragraph (c), "Tuna Flakes" to become paragraph (d)

(c) *Grated or shredded tuna.* (1) The term "grated tuna" or "shredded tuna" as herein used shall be deemed to be the descriptive term for small uniform pieces of wholesome cooked tuna meat produced in this form by a mechanical process. The pieces shall be free from dark meat, bones, skin, extraneous tissue and debris, and tuna meat used for this type of pack shall be of a kind and quality at least equal to that employed in packing "standard tuna" as described in paragraph (b) (1) above.

(2) The term "grated white meat tuna" or "shredded white meat tuna" as herein used shall be deemed to be the descriptive term for like small uniform pieces of wholesome cooked albacore meat prepared and packed in the same manner. The tuna meat used shall be of a kind and quality at least equal to that employed in packing "standard white meat tuna" as described in paragraph (b) (2) above.

Suggested amendment to Rule 2: Change Rule 2 to read as follows:

Rule 2: Deceptive designations. It is an unfair trade practice to sell, offer for sale, advertise, describe or otherwise represent, directly or indirectly, any industry product as "fancy tuna," "fancy white meat tuna," "standard tuna," "standard white meat tuna," "grated tuna," "shredded tuna," "grated white meat tuna," "shredded white meat tuna," "tuna flakes," "flakes," "white meat flakes," or by similar designation, when such product does not conform to the definitions set out in Rule 1 above.

Other amendments, including amendments to the foregoing or to any other rule or part of said trade practice rules for the Tuna Industry promulgated August 27, 1940, may be submitted or proposed for consideration.

The Commission will take action in the premises after due consideration of all matters presented at the hearing or otherwise.

By the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-2613; Filed, Feb. 16, 1945;
10:27 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 233]

UNLOADING OF FERTILIZER AT YAKIMA, WASH.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of February, A. D. 1945.

It appearing, that two cars containing fertilizer on the Union Pacific Railroad Company have been on hand for an unreasonable length of time and that

the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

Fertilizer at Yakima, Washington, be unloaded. (a) The Union Pacific Railroad Company, its agents or employees, shall unload forthwith cars L&N 16533 and B&O 175012 containing fertilizer now on hand at Yakima, Washington. These cars were shipped by Montana Fertilizer Company to the Sugar Sweet Lime Co.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of fertilizer have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Union Pacific Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-2623; Filed, Feb. 16, 1945;
11:36 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Max. Import Price Reg., Order 70]

BERTEX INDUSTRIAL

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, *it is ordered:*

(a) *What this order does.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, certain cigarette lighters, imported from Mexico by Bertex Industrial, Majestic Building, San Antonio, Texas, hereinafter called the "importer." These lighters are identified as (1) tubular, windproof cigarette lighter, made of copper, approximately 2¼ inches long, marked "Made in Mexico" or "Mexico" and (2) tubular cigarette lighter, made of copper, silver plated, nickel plated and/or chromium plated, approximately 2¼ inches long, operated by a spark wheel and flint, and marked "Made in Mexico" or "Mexico"

(b) *Maximum prices on sales by the importer.* The importer may sell these lighters at prices not exceeding the following:

Description	To whole- salers	Maxi- mum prices to retailers	To con- sumers
Tubular windproof cig- arette lighter—copper.	1 \$0.95	1 \$1.15	Each \$2.00
Tubular cigarette light- er—plated.....	1.84	1.00	1.75

¹ Each, delivered.

No wholesaler, retailer or consumer may pay the importer higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell, and no person buying from them may pay, prices higher than the following for such lighters:

Description	Class of seller	Maxi- mum prices
Tubular windproof cigarette lighter— copper.	Sales by wholesalers....	1 \$1.15
	Sales by retailers.....	2 \$2.00
Tubular cigarette lighter—plated.	Sales by wholesalers....	1 \$1.00
	Sales by retailers.....	2 \$1.75

¹ Each, delivered.

² Each.

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom such lighters are sold and shall also include on the invoice the following statement:

The enclosed Order No. 70 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling prices for these lighters and requires you to notify your customers what is their maximum price, as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such lighters shall include on his invoice to each retailer the following statement:

Your maximum selling price for these lighters, as established by Order No. 70 under the Maximum Import Price Regulation issued by the Office of Price Administration, is \$----- each.

(Insert \$2.00 for tubular windproof copper lighter, \$1.75 for tubular plated lighter.)

(f) *Revocation and amendment.* This order may be revoked or amended, at any time.

This order shall become effective on February 16, 1945.

Issued this 15th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2590; Filed, Feb. 15, 1945;
11:52 a. m.]

[MPR 120, Order 1288]

INDUSTRIAL COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and

the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 9. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of

each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.220 and all other provisions of Maximum Price Regulation No. 120.

INDUSTRIAL COAL CO., c/o JOHN P. MILLER, 610 DWIGHT BLDG., KANSAS CITY, MO., CHARLESTON #1 MINE, No. 0 SEAM, MINE INDEX No. 2029, HOPKINS COUNTY, KY., RAIL SHIPPING POINT, CHARLESTON, KY., STRIP MINE, MAXIMUM PRICE GROUP No. 2 FOR RAIL SHIPMENTS AND RAILROAD FUEL

	Size group Nos.								
	1 to 6, incl.	7	8 to 12, incl.	17 to 22, incl.	13, 14	23, 24	25 to 29, incl.	16, 10	25
Rail shipments and railroad fuel.....	270	225	310	-----	245	-----	280	140	-----

OWENSBORO COAL CO., INC., BOX 476, OWENSBORO, KY., No. 1 MINE, No. 6 SEAM, MINE INDEX No. 2023, DAVIES COUNTY, KY., RAIL SHIPPING POINT, BANNON, KY., STRIP MINE, MAXIMUM PRICE GROUP No. 2 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	270	225	310	-----	245	-----	280	140	-----
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CHRISTIAN COAL CO., STURGIS, KY., CHRISTIAN MINE, No. 9 SEAM, MINE INDEX No. 2026, WEBSTER COUNTY, KY., RAIL SHIPPING POINT, WHEATCROFT, KY., DEEP MINE, MAXIMUM PRICE GROUP No. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	220	210	200	230	175	230	180	125	105
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HART & HART, c/o GEO. L. HART, CLAY, KY., WHEATCROFT MINE, No. 9 SEAM, MINE INDEX No. 2023, UNION COUNTY, KY., RAIL SHIPPING POINT, WHEATCROFT, KY., STRIP MINE, MAXIMUM PRICE GROUP No. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	220	210	200	230	175	230	180	125	105
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HART & HART, c/o GEORGE L. HART, CLAY, KY., WEBSTER MINE, No. 9 SEAM, MINE INDEX No. 2024, WEBSTER COUNTY, KY., RAIL SHIPPING POINT, PROVIDENCE, KY., STRIP MINE, MAXIMUM PRICE GROUP No. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	220	210	200	230	175	230	180	125	105
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SMITH & SMITH, P. O. BOX 196, GREENVILLE, KY., McNARY MINE, No. 9 SEAM, MINE INDEX No. 2020, MUHLENBERG COUNTY, KY., RAIL SHIPPING POINT, McNARY, KY., STRIP MINE, MAXIMUM PRICE GROUP No. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	220	210	200	230	175	230	180	125	105
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WALLACE VALLEY COAL CO., PROVIDENCE, KY., WALLACE MINE, No. 9 SEAM, MINE INDEX No. 2025, WEBSTER COUNTY, KY., RAIL SHIPPING POINT, SULLIVAN, KY., DEEP MINE, MAXIMUM PRICE GROUP No. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	220	210	200	230	175	230	180	125	105
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CHARLESTON SIXTH VEIN COLLIERIES, INC., P. O. BOX 166, DAWSON SPRINGS, KY., CHARLESTON SIXTH VEIN COLLIERIES #11 MINE, 11TH SEAM, MINE INDEX No. 2030, HOPKINS COUNTY, KY., RAIL SHIPPING POINT, MADISONVILLE AND MONARCH, KY., DEEP MINE MAXIMUM PRICE GROUP No. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	220	210	200	230	175	230	180	125	105
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MORGAN COAL CO., 19 WEST 38TH STREET, INDIANAPOLIS, IND., POWDERLY 11TH SEAM MINE, 11TH SEAM, MINE INDEX No. 2021, MUHLENBERG COUNTY, KY., RAIL SHIPPING POINT, POWDERLY, KY., STRIP MINE, MAXIMUM PRICE GROUP No. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	220	210	200	230	175	230	180	125	105
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Maximum Prices for Shipments by Truck or Wagon to all destinations for all uses from all of the foregoing mines:
All single-screened lump coals, bottom size larger than 1½" and all double-screened raw, washed or air-cleaned coals, bottom size larger than 1½"..... 280
All single-screened lump coals, bottom size 1½" and smaller, and all double-screened coals, bottom size 1½" and smaller..... 245
Mine run, modified mine run and mine run resultants larger than 2"..... 235
Screenings, top size not exceeding 2"..... 200

This order shall become effective February 16, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 15th day of February 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-2584; Filed, Feb. 15, 1945; 11:49 a. m.]

[MPR 120, Order 1289]

COAL IN DISTRICT 1

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, It is ordered.

(1) The following maximum prices in cents per net ton are hereby established by size for coals produced at the following mines, listed by name and index number, for the indicated uses and methods of shipment:

DISTRICT #1 EXCEPTIONS

[Maximum price exceptions issued under paragraph 1340.207a to § 1340.212 Appendix A]

Mine index Nos.	Mine name	Subdis- trict No.	Rail shipments					Railroad locomotive fuel					Truck shipments					Smith- ing coal
			1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	
	All mines in Tyson and Big Vein seams 1.....	43 & 44	405	385	385	370	370	405	385	385	370	370	405	385	385	370	370	400
	All mines in subdistrict, except as listed below 2.....	39	425	425	425	425	425	425	425	425	425	425	425	425	425	425	425	425
7	Alex #1.....	36	360	360	360	315	315	360	360	360	315	315	360	360	360	315	315	
15	Apple #2.....	18	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320	
22	Bacon #4.....	39	420	420	415	380	380	420	420	415	380	380	420	420	415	380	380	450
38	Bennington "B".....	27	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
54	Black Oak 5.....	19	370	370	370	315	315	370	370	370	315	315	370	370	370	315	315	
81	Cambria Smokeless.....	18	375	375	375	375	375	375	375	375	375	375	375	375	375	375	375	
82	Cammos #1.....	19	400	400	400	385	385	400	400	400	385	385	400	400	400	385	385	450
122	Cortright #1.....	34	360	360	360	340	340	360	360	360	340	340	360	360	360	340	340	
133	Delta #2.....	16	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
152	Elma No. 3.....	37	385	385	385	380	380	385	385	385	380	380	385	385	385	380	380	
164	Fleener #1.....	20	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
184	Glen White #2.....	27	385	385	385	385	385	385	385	385	385	385	385	385	385	385	385	
193	Hamill.....	44	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	
195	Hampshire.....	43	375	375	375	375	375	375	375	375	375	375	375	375	375	375	375	
196	Hampshire #3.....	44	405	405	405	370	370	405	405	405	370	370	405	405	405	370	370	
198	Harrington #1.....	9	445	445	445	445	445	445	445	445	445	445	445	445	445	445	445	
202	Hastings #1.....	17	385	385	385	345	345	385	385	385	345	345	385	385	385	345	345	
213	Hiyasota #1.....	36	385	385	385	315	315	385	385	385	315	315	385	385	385	315	315	
217	Hughes #2.....	31	415	415	415	415	415	415	415	415	415	415	415	415	415	415	415	450
229	Ingliside #5.....	32	375	375	375	375	375	375	375	375	375	375	375	375	375	375	375	
233	Jerome #1.....	32	385	385	385	370	370	385	385	385	370	370	385	385	385	370	370	450
234	Jerome #2.....	32	385	385	385	370	370	385	385	385	370	370	385	385	385	370	370	450
235	Jerome #3.....	32	385	385	385	370	370	385	385	385	370	370	385	385	385	370	370	450
236	Jerome #4.....	32	385	385	385	370	370	385	385	385	370	370	385	385	385	370	370	450
252	Leitenberger.....	29	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
263	Lanark #1.....	17	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
274	Leland #10.....	19	420	420	420	380	380	420	420	420	380	380	420	420	420	380	380	500
280	Lilly #3.....	31	390	390	390	390	390	390	390	390	390	390	390	390	390	390	390	400
285	Logan #4.....	34	385	385	385	370	370	385	385	385	370	370	385	385	385	370	370	
298	McDonald.....	43	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	
301	McIntyre.....	3	435	435	435	435	435	435	435	435	435	435	435	435	435	435	435	
320	Spangler #3.....	16	375	375	375	375	375	375	375	375	375	375	375	375	375	375	375	
335	Sloss.....	3	420	420	420	370	370	420	420	420	370	370	420	420	420	370	370	
343	New Creek.....	44	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
358	Parker #1.....	43	375	375	375	375	375	375	375	375	375	375	375	375	375	375	375	
365	Pendleton #23.....	45	375	375	375	375	375	375	375	375	375	375	375	375	375	375	375	
374	9B.....	27	425	425	425	425	425	425	425	425	425	425	425	425	425	425	425	
381	#46.....	8	375	375	375	375	375	375	375	375	375	375	375	375	375	375	375	
401	Proctor #1.....	2	350	350	350	315	315	350	350	350	315	315	350	350	350	315	315	
402	Proctor #2.....	2	350	350	350	315	315	350	350	350	315	315	350	350	350	315	315	
409	Randolph #2.....	15	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	400
423	Reitz #1.....	33	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
424	Reitz #5.....	33	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
455	Seymour.....	3	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
463	Shaw Big Vein #1.....	41	385	385	385	385	385	385	385	385	385	385	385	385	385	385	385	
464	Shaw Big Vein #2.....	41	385	385	385	385	385	385	385	385	385	385	385	385	385	385	385	
466	Shawmut #5.....	2	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
467	Shawmut #12.....	2	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
473	Smokeless No. 4.....	50	385	385	385	385	385	385	385	385	385	385	385	385	385	385	385	
474	Sonman #2.....	31	410	410	410	375	375	410	410	410	375	375	410	410	410	375	375	
485	Steineman #1.....	30	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	
486	Steineman #2.....	30	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	
487	Steineman #4.....	30	450	450	450	445	445	450	450	450	445	445	450	450	450	445	445	450
498	Swank #1A.....	23	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
499	Dale #10.....	23	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
536	Waterman #2.....	23	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
546	Wolf Den.....	44	325	325	325	325	325	325	325	325	325	325	325	325	325	325	325	
567	Superior #1 and 3.....	12	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
568	Swanton No. 2.....	43	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	
572	Antrim.....	3	385	385	385	385	385	385	385	385	385	385	385	385	385	385	385	
608	Maple Ridge #2.....	32	400	400	400	380	380	400	400	400	380	380	400	400	400	380	380	450
735	Eddy #2.....	44	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
841	1 Bloss Drift.....	3	385	385	385	385	385	385	385	385	385	385	385	385	385	385	385	
877	Hastings #2.....	17	385	385	385	385	385	385	385	385	385	385	385	385	385	385	385	
895	Manor #3.....	44	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
956	Lilly.....	27	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
1077	Hiyasota #2.....	32	385	385	385	315	315	385	385	385	315	315	385	385	385	315	315	
1324	Russett #1.....	27	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
1346	Fallier Coal Co.....	23	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	
1451	St. Clair #3.....	29	370	370	370	370	370	370	370	370	370	370	370	370	370	370	370	

DISTRICT #1 EXCEPTIONS—Continued

Mine index Nos.	Mine name	Subdistrict No.	Rail shipments					Railroad locomotive fuel					Truck shipments					Smithing coal
			1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	
2352	Westville #4	6			345					345					345			
3203	Bethel #3	32			380					380					380			403
3761	Stineman #3	30			350					350					350			
3520	Victory	43			370					370					370			
3973	Haws #1	32	400	380	380	360	360	400	380	380	360	360	400	380	380	360	360	
5046	Barrie "D"	40	350	350	350	295	295	350	350	350	295	295	365	365	365	315	305	

¹ All mines in subdistricts 43 and 44 producing coal in Tyson and Big Vein seams, including new mines for which prices have been established by the OPA, Order No. 327; Mine Index Nos. 52, 77, 84, 85, 94, 108, 109, 110, 111, 112, 113, 175, 177, 215, 254, 305, 397, 500, 515, 516, 517, 535, 632, 642, 679, 691, 692, 799, 865, 866, 897, 929, 965, 1027, 1043, 1071, 1088, 1121, 1182, 1204, 1215, 1304, 1311, 1341, 1358, 1490, 1644, 1615, 1644, 1707, 1710, 1719, 1904, 1908, 2101, 2142, 2166, 2167, 2002, 2248, 2265, 2318, 2731, 2755, 2953, 2890, 3282, 3295, 3307, 3382, 3517, 3619, 3667, 3773, 3807, 3817, 3818, 3821, 3983, 5082, 5087, and 5165.

² All mines in subdistrict 39 including new mines for which prices have been established by the OPA, Order No. 330; Mine Index Nos. 21, 70, 168, 180, 211, 237, 243, 248, 436, 437, 439, 440, 441, 452, 469, 470, 513, 514, 612, 695, 831, 961, 1149, 1202, 1207, 1203, 1252, 1255, 1284, 1354, 1487, 1646, 1805, 1851, 1852, 1937, 1953, 1967, 1985, 2133, 2144, 2148,

2234, 2266, 2273, 2280, 2374, 2420, 2854, 2869, 2983, 3136, 3192, 3247, 3280, 3377, 3391, 3193, 3523, 3527, 3571, 3595, 3629, 3688, 3924, 4083, 5031, 5032, 5055, 5125, 5126, 5142, 5143, 5144, 5145, 5148, 5159, 5169, 5199, 5200, 5201, 5202, and 5203.

³ When mixed with coals from Jerome 1 and 2 Index Nos. 233 and 234 when sold for byproduct use.

⁴ When sold to Monongahela Connecting Railroad only.

⁵ When sold to Western Maryland Railway.

⁶ Size group 3 coals produced in Cambria County, Pa., by producers having no direct physical connections with the Conemaugh & Blacklick Railway Co., but with a rail shipping point on said railroad at Johnstown, Pa., and whose coal is trucked to the railroad's locomotive coaling station at that point.

(2) The maximum prices established herein are f. o. b. the mine or preparation plant for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel for all uses.

(3) The descriptions of size group numbers used in paragraph (1) above are the same as those referred to in § 1340.212, Appendix A of Maximum Price Regulation No. 120.

(4) Where no maximum price appears in this order for a certain size or method of shipment of coal, the maximum price provided in the schedule of maximum prices for District No. 1 shall apply.

(5) The following orders, as revised, corrected and amended, under Maximum Price Regulation No. 120 are revoked:

Order Nos. 5, 7, 12, 13, 16, 21, 23, 25, 29, 48, 49, 50, 51, 57, 65, 69, 81, 98, 102, 109, 112, 118, 132, 137, 140, 143, 161, 174, 189, 198, 203, 206, 215, 219, 222, 226, 227, 230, 233, 236, 239, 248, 259, 269, 277, 299, 314, 317, 322, 327, 330, 356, 361, 376, 383, 384, 395, 405, 406, 417, 431, 443, 508, 509, 551, 568, 597, 599, 607, 614, 642, 646, 656, 669, 674, 683, 698, 713, 716, 730, 752, 760, 771, 808, 821, 825, 874, 881, 888, 889, 907, 915, 920, 933, 1042, 1047, 1048, 1053, 1054, 1064, 1066, 1078, 1079, 1100, 1153, 1182, 1198, 1228, L-24, L-28 and L-36.

(6) This order may be revoked or amended at any time.

(7) Except as is specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of coal shall remain in effect.

(8) The applicant shall include a statement on all invoices in connection with the sales of coal priced under this order that the price charged includes an adjustment granted by Order No. 1289 under Maximum Price Regulation No. 120 of the Office of Price Administration.

This order shall become effective February 16, 1945.

Issued this 15th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2585; Filed, Feb. 15, 1945;
11:49 a. m.]

[MPR 188, Rev. Order 2545]

DIXIE CHAIR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, it is ordered.

(a) This order establishes maximum prices for sales and deliveries of 18 upholstered chairs manufactured by Dixie Chair Company, Newton, North Carolina.

Items	Grades											
	1	2	3	4	5	6	7	8	9	10	11	12
500P	8.59	10.07			10.90		12.00			12.41	13.10	13.68
530T	9.97	11.45			12.23		13.38			13.79	14.48	15.05
510T	8.01	9.25			9.93		10.93			11.37	11.71	12.18
520T	9.43	10.91			11.74		12.48			13.60	13.94	14.62
510P	7.58	8.82			9.50		10.50			10.92	11.36	11.83
520P	8.88	10.40			11.23		12.32			12.73	13.42	14.00
530P	9.40	10.88			11.71		12.71			13.12	13.81	14.39
#3	5.58	5.76	5.97	6.09	6.27	6.45	6.63	6.81	6.99	7.17	7.32	
#143	6.42	6.87	7.22	7.42	7.72	8.02	8.32	8.62	8.92	9.22	9.47	
#242	6.88	7.36	7.74	8.06	8.38	8.70	9.02	9.34	9.66	9.98	10.23	
#270	5.96	6.35	6.68	6.84	7.10	7.36	7.62	7.88	8.14	8.40	8.63	
#272	6.36	6.79	7.12	7.31	7.60	7.89	8.18	8.47	8.70	9.05	9.34	
#7½	7.79	8.38	8.84	9.10	9.49	9.88	10.27	10.66	11.05	11.44	11.83	
#261	7.79	8.38	8.84	9.10	9.49	9.88	10.27	10.66	11.05	11.44	11.83	
#264	8.00	8.52	8.92	9.15	9.50	9.85	10.20	10.55	10.90	11.25	11.60	
#266	8.60	9.19	9.65	9.91	10.30	10.69	11.08	11.47	11.86	12.25	12.64	
#7	7.08	7.67	7.96	8.18	8.51	8.84	9.17	9.50	9.83	10.16	10.49	
#260	7.08	7.67	7.96	8.18	8.51	8.84	9.17	9.50	9.83	10.16	10.49	

(ii) For all sales and deliveries by the manufacturer to other purchasers or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office

of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order, to wholesalers or retailers, by Paramount Furniture Industries, Inc., the maximum prices are those set forth below:

Items	Grades											
	1	2	3	4	5	6	7	8	9	10	11	12
500P	10.74	12.59			13.63		15.00			15.51	16.38	17.10
530T	12.46	14.31			15.35		16.73			17.24	18.10	18.81
510T	10.01	11.56			12.41		13.66			14.21	14.64	15.23
520T	11.79	13.64			14.68		15.60			16.88	17.43	18.16
510P	9.48	11.03			11.88		13.13			13.65	14.20	14.79
520P	11.10	13.00			14.04		15.40			15.91	16.78	17.60
530P	11.75	13.60			14.64		15.89			16.40	17.26	17.93
#3	6.98	7.20	7.46	7.61	7.84	8.06	8.29	8.51	8.74	8.96	9.16	
#143	8.03	8.69	9.03	9.28	9.65	10.03	10.40	10.78	11.15	11.53	11.84	
#242	8.60	9.20	9.68	10.03	10.48	10.88	11.28	11.68	12.08	12.43	12.85	
#270	7.45	7.94	8.33	8.55	8.88	9.20	9.53	9.85	10.18	10.50	10.79	
#272	7.95	8.49	8.90	9.14	9.50	9.86	10.23	10.69	11.05	11.31	11.63	
#7½	9.74	10.48	11.05	11.35	11.86	12.35	12.84	13.33	13.81	14.30	14.79	
#261	9.74	10.48	11.05	11.35	11.86	12.35	12.84	13.33	13.81	14.30	14.79	
#264	10.00	10.65	11.15	11.44	11.88	12.31	12.75	13.19	13.63	14.07	14.50	
#266	10.75	11.49	12.06	12.39	12.88	13.36	13.85	14.34	14.83	15.31	15.80	
#7	8.85	9.46	9.95	10.23	10.64	11.05	11.46	11.88	12.29	12.70	13.11	
#260	8.85	9.46	9.95	10.23	10.64	11.05	11.46	11.88	12.29	12.70	13.11	

(ii) For all sales and deliveries by Paramount Furniture Industries, Inc., to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 16, 1945.

Issued this 15th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2587; Filed, Feb. 15, 1945;
11:51 a. m.]

[Max. Import Price Reg., Amdt. 2 to Order 38]

IMPORTED FOODS

APPLICATION FOR EXCEPTION OF HIGH-COST PURCHASES

An opinion accompanying this amendment has been issued simultaneously herewith.

Order 38 under the Maximum Import Price Regulation is amended in the following respects:

I. Paragraph (d) is amended to read as follows:

(d) *Application for exception of high-cost purchases.* Any importer who, on September 5, 1944, had on hand an imported food item or who had a contract then outstanding to purchase a food item (as shown by suitable documentary evidence) may apply for a maximum price in lieu of the maximum price provided under paragraph (c). The Price Administrator may, upon such application, establish by order the same maximum price determinable by the applicable regulation in effect for that item on September 3, 1944. The maximum price so authorized shall be effective for not longer than 60 days from the date of issuance of the authorization or from the date of the item's first arrival at a point of entry in the continental United States of America, whichever is the later, but not later than May 31, 1945.

Application for such authorization shall be filed with the Imported Foods Section, Food Price Division, Office of Price Administration, Washington, D. C., and shall contain the following information:

(1) Complete description of each item stating quantity on hand in the United States and the quantity to be imported under contract executed prior to September 5, 1944.

(2) Description of purchase commitments on each item, name and address of supplier in foreign country, date of purchase, price paid or to be paid, arrival date at point of entry, delivery date and itemized statement of total landed cost.

(3) Copy of contract or other suitable documentary evidence showing a purchase prior to September 5, 1944.

(1) Notwithstanding the provisions of orders heretofore (or hereafter) issued pursuant to this paragraph (d) the maximum prices which such orders authorize for sales of food items shall apply for a period of 60 days after is-

suance of such order or after arrival at a point of entry in the continental United States of America, whichever is the later, but not later than May 31, 1945.

This amendment shall become effective February 17, 1945.

Note: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of February, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2632; Filed, Feb. 16, 1945;
11:46 a. m.]

[MPR 188, Amdt. 71 to Order A-1]

MANUFACTURERS OF SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

AUTHORIZATION OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (47) is amended to read as follows:

(47) *Authorization of maximum prices for crude talc produced in Esmeralda County, Nevada.* (i) The manufacturer's maximum prices for specified grades of crude talc produced in Esmeralda County, Nevada, shall be as follows:

Maximum Net Selling Price, Per Ton, F. O. B. Zurich, California	
Grades	
#1—Selected Cosmetic Talc ¹	\$15.25
Maximum CaO.....	2%
Maximum Fe ₂ O ₃	1½%
Maximum Al ₂ O ₃	0%
#2—Mine-run White Talc ²	13.00
Maximum CaO.....	4%
Maximum Fe ₂ O ₃	2%
Maximum Al ₂ O ₃	0%
#3—Mine-run Talc (Blue or Blue & White Mix) ³	10.25
Combined lime (CaO) and alumina (Al ₂ O ₃) content less than.....	11%
#4—Talc Filler (Blue Talc) ⁴	8.00
#5—Select Screened or Lump Talc.....	17.50
Maximum 10% fines, ⁵ free of gang or gouge material in the fines	
Maximum CaO.....	1%
Maximum Fe ₂ O ₃	1%
Maximum Al ₂ O ₃	4%
Maximum acid soluble ingredients	8 milligrams.
Maximum water soluble ingredients	4 milligrams.

¹ No blue talc or yellow stains, free from lime lumps.

² Maximum blue talc or yellow stains 25%.

³ Blue talc or yellow stains in excess of 25%.

⁴ Combined lime (CaO) and alumina (Al₂O₃) content in excess of 11%.

⁵ Originating from the talc lump itself when screened or sorted.

(ii) The maximum price for any of the above grades of talc, f. o. b. mine, shall be the maximum price for that grade, f. o. b. Zurich, California, less the established ICC freight, and transportation tax, from Zurich to the particular mine.

(iii) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, services, and other terms and conditions of sale at least as

favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This amendment shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2630; Filed, Feb. 16, 1945;
11:46 a. m.]

[MPR 188, Amdt. 1 to Order B-1]

MANUFACTURERS OF SPECIFIED BUILDING MATERIALS

ADJUSTMENT PROVISIONS

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (f) of Order B-1 under § 1499.159b of Maximum Price Regulation 188 is amended to read as follows:

(f) *Where to apply for an adjustment.* If the manufacturer's total sales of all his commodities for the preceding calendar year did not exceed \$200,000 or if such total sales during the 12-month period following the filing of the adjustment application are estimated at \$200,000 or less, the application must be filed with the Regional Office of the Office of Price Administration for the region in which is located his principal place of business. Each Regional Administrator is hereby authorized to act upon, and, by order, grant or deny, in whole or in part, such an application irrespective of the location of the applicant's producing facilities.

A manufacturer whose total sales exceed the amount described above shall apply for adjustment to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C.

This amendment shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2631; Filed, Feb. 16, 1945;
11:48 a. m.]

[MPR. 188, Order 3393]

IDEAL BRICK CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.153 of Maximum Price Regulation 188, it is ordered:

(a) The maximum prices for sales by Ideal Brick Company, Linden, North Carolina; Kendrick Brick and Tile Company, Mt. Holly, North Carolina; Mt. Gilead Brick Company, Mt. Gilead, North Carolina; Pomona Terra-Cotta Company, Pomona, North Carolina; and Statesville Brick Company, Statesville, North Carolina, of "A-Grade common hard brick" to any person shall be:

F. o. b. plant	Car load delivered to destination	Truck delivered to job
\$16.00 per M.....	\$16.00 per M.....	\$17.00 per M.

(b) "A-Grade common hard brick" means a 50-50 combination of selected common brick and common hard brick, mixed by the manufacturer in the same shipment. These brick shall not be packed in straw or other packing material.

(c) Any person purchasing A-Grade common hard brick from the specified manufacturers listed above, for purposes of resale, may add to the prices established in paragraph (a) above, an amount not in excess of the average dollar mark-up received by such person during March 1942 in making sales of selected common brick and common hard brick, purchased from the manufacturers specified herein, to purchasers of the same class for like quantities under similar conditions of sale.

(d) Every manufacturer making sales of "A-Grade common hard brick" shall send the following notation to every purchaser of such brick who buys for resale at the time of the first sale to such purchaser after the effective date of this order:

Order No. 3398 under § 1499.158 of Maximum Price Regulation No. 188 issued by the Office of Price Administration established the following prices for us for "A-Grade common hard brick"

F. o. b. plant	Car load delivered to destination	Truck delivered to job
\$16.00 per M.....	\$16.00 per M.....	\$17.00 per M.

Order No. 3398 also provides that a reseller may add to the above manufacturers' prices an amount not in excess of the average dollar mark-up received by such reseller during March 1942 in making sales of selected common brick and common hard brick, purchased from manufacturers specified in the order, to purchasers of the same class for like quantities under similar conditions of sale.

(e) Any person subject to this order shall make such reports to the Office of Price Administration as it may from time to time require.

(f) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2628; Filed, Feb. 16, 1945; 11:48 a. m.]

[MPR 188; Order 3399]

DORSEY R. SHAW

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of

Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of an indoor-clothes dryer known as the Liquid-Sunshine Dryer, manufactured by Dorsey R. Shaw, 850 Humboldt St., Richmond, California, as follows:

(1) For all sales and deliveries, since the effective date of Maximum Price Regulation No. 188, by the manufacturer to the following classes of purchasers the maximum prices are those set forth below:

Article	Model	To jobbers	To retailers
Indoor clothes dryer.	Liquid-Sunshine.....	Each \$1.25	Each \$1.67

These prices are subject to a discount of 2% for payment within ten days, net thirty days. Prices lower than those established by this order may be charged.

(2) For all sales and deliveries on and after the effective date of this order at retail by any person other than the manufacturer, the maximum price is \$2.50. This price is subject to the seller's customary terms, discounts, allowances and other price differentials.

(b) At the time of or prior to the first invoice to each purchaser for resale, other than a retailer, the manufacturer must notify the purchaser for resale, in writing, of the maximum prices established

by this order for resale to retailers. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2629; Filed, Feb. 16, 1945; 11:48 a. m.]

[Supp. Order 94, Order 28]

UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR A CERTAIN TYPE OF BROILER, SAUCE PAN AND KNIFE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 93, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which new broilers, sauce pans and knives hereinafter described may be sold by United States Treasury Department, Procurement Division and by any subsequent reseller.

(b) *Maximum prices.* The maximum prices per unit of the articles described herein are as follows:

	Treasury's price to wholesaler f. o. b. shipping point	Wholesaler's price and Treasury's price to retailer f. o. b. shipping point	Price for all sales at retail
Broiler, carbon steel, 11" x 15"	\$0.65	\$0.82	\$1.40
Covered sauce pan, carbon steel, 8 qts.	1.69	2.10	3.60
Kitchen knife, carbon steel, 10½" blade.	.25	.33	.60

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells any of the articles described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price, and stating that the retailer is required by this order to attach to each article a tag or label, or display a suitable sign, containing the retail ceiling price established by this order.

(e) *Tagging.* Any person who sells any of the articles described in paragraph (b) at retail shall attach to each article before sale a tag or label, or display a suitable sign at the place where the article is offered for sale, which plainly states the retail ceiling price.

(f) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Wholesaler" means any person other than a manufacturer who distributes or sells broilers, sauce pans and knives to purchasers other than consumers.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2633; Filed, Feb. 16, 1945; 11:47 a. m.]

[Supp. Order 94, Order 29]

UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR SAFETY GASOLINE CANS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the safety gasoline cans (5 gallon capacity)

hereinafter described may be sold by United States Treasury Department, Procurement Division and by any subsequent reseller.

(b) *Maximum prices.* Maximum prices per unit for the safety gasoline cans described herein shall be:

(1) For the cans new or used, free from rust, leaks, dents, and in all respects having serviceability and appearance equal to that of new cans:

Description of safety gasoline cans	Treasury's price to wholesaler, f. o. b. shipping point	Wholesaler's price and Treasury's price to retailers or industrial users f. o. b. shipping point	Price for all sales at retail
Safety gasoline can 5 gal., 20 gauge steel, hot dipped galvanized, painted red, 11 1/4" x 14", self closing airtight cap with 1 1/2" opening, Pat. No. 1312822. Listed as "standard" by Underwriters Laboratories, each can bearing their approval label. Made by Dover Stamping Company.	\$3.80	\$4.75	\$7.00
Safety gasoline can 5 gal., made by Protecto Seal Company of America, No. 205, red enamel, safety spout, and approved by Underwriters Laboratories and bearing their seal of approval.	3.07	4.10	6.85

(2) For cans having serviceability and appearance less than that of new cans:

Not to exceed 75% of the above maximum prices.

For the purposes of this order, a can has serviceability and appearance less than that of new cans when it leaks, is rusted or dented, cannot be closed, requires painting or other reconditioning, or possesses other similar defects.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification of maximum prices.* Any person who sells the safety gasoline cans described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price, and stating that the retailer is required by this order to attach to each safety gasoline can before sale a tag or label which plainly states the retail ceiling price.

(e) *Tagging.* Any person who sells the safety gasoline cans described in paragraph (b) at retail shall attach to each safety gasoline can before sale a tag or label which plainly states the retail ceiling price.

(f) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Wholesaler" means any person other than a manufacturer who distributes or sells safety gasoline cans to resellers and industrial users.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2634; Filed, Feb. 16, 1945; 11:47 a. m.]

[Supp. Order 94, Order 30]

UNITED STATES TREASURY DEPARTMENT,
PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR SALES OF
VEHICULAR COMPASSES

For the reasons set forth in an opinion issued simultaneously herewith and

filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the vehicular compasses hereinafter described may be sold by United States Treasury Department, Procurement Division, and by any subsequent reseller.

(b) *Maximum prices.*—(1) *New compasses.* Maximum prices per new vehicular compass described herein shall be:

Article and description	Treasury's price to wholesaler f. o. b. shipping point	Wholesaler's price and Treasury's price to retailer f. o. b. shipping point	Price for all sales at retail
Vehicular compass for mounting on auto or truck dashboard, plastic with 1 1/2" dial, compass card circular bell shaped to be read from a vertical position, card graduated in 10 dimensions, liquid filled 1 1/2" wide, 3 1/2" long, 3 1/2" deep with wood block 1" x 1" x 2 1/2" for mounting, 2 brass bolts and steel nuts for mounting compass. Has 2 set screws for compensating, one for N. & S. and one for E. & W. Each packed in small cardboard box 4 1/2" x 4 1/2" x 2 1/2".	\$1.75	\$2.35	\$3.55
Illuminated vehicular compass same as compass above described, except equipped complete with light and connected with 8 ft. of wire both negative and positive insulated, five clips, two terminals, one toggle switch. Packed in individual corrugated cartons.	\$2.75	\$3.65	\$6.10

(2) *Used compasses.* The maximum price per used vehicular compass described above shall be 75% of the appropriate maximum price set forth in subparagraph (1) herein, *Provided*, That

(i) No part is missing which is necessary to make the compass fully useful, and

(ii) The compass is in good working condition; and can be used by the consumer for its intended purpose without further repair.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the compasses described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price, and stating that the retailer is required by this order to attach to each compass before sale a tag or label setting forth the retail ceiling price.

(e) *Tagging.* Any person who sells the compasses described in paragraph (b) at retail shall attach to each compass before sale a tag or label which plainly states the retail ceiling price.

(f) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Wholesaler" means any person other than a manufacturer who distributes or sells compasses to resellers.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective February 17, 1945.

Issued this 16th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2635; Filed, Feb. 16, 1945; 11:48 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register February 14, 1945.

REGION I

Concord Order 3-W, covering community food prices in the state of New Hampshire, filed 4:21 p. m.

REGION II

Altoona Order 2-F, Amendment 6, covering fresh fruits and vegetables in the Altoona area, filed 4:22 p. m.

Baltimore Order 4-F, Amendment 20, covering fresh fruits and vegetables in Baltimore City, Md., filed 4:09 p. m.

Erle Order 14-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Pennsylvania, filed 4:03 p. m.

Newark Order 5-F, Amendment 17, covering fresh fruits and vegetables in certain cities in New Jersey, filed 4:10 p. m.

New York Order 3-F, Amendment 31, covering fresh fruits and vegetables in certain cities in New York, filed 4:09 p. m.

Trenton Order 7-F, Amendment 19, covering fresh fruits and vegetables in certain counties in New Jersey, filed 4:09 p. m.

REGION III

Lexington Order 1-F, Amendment 65, covering fresh fruits and vegetables in Fayette County, Ky., filed 4:23 p. m.

Lexington Order 1-F, Amendment 66, covering fresh fruits and vegetables in Fayette County, Ky., filed 4:03 p. m.

Lexington Order 2-F, Amendment 59, covering fresh fruits and vegetables in certain counties in Kentucky, filed 4:22 p. m.

Lexington Order 2-F, Amendment 60, covering fresh fruits and vegetables in certain counties in Kentucky, filed 4:22 p. m.

Lexington Order 3-F, Amendment 56, covering fresh fruits and vegetables in Boyd County, Ky., filed 4:23 p. m.

Lexington Order 3-F, Amendment 57, covering fresh fruits and vegetables in Boyd County, Ky., filed 4:03 p. m.

REGION IV

Birmingham Order 4-W, covering certain dry groceries in the North Alabama area, filed 4:01 p. m.

Birmingham Order 19, covering community food prices in the Birmingham area, filed 4:01 p. m.

Birmingham Order 20, covering community food prices in the Birmingham area, filed 4:01 p. m.

Memphis Order 6-F, Amendment 15, covering fresh fruits and vegetables in the city of Memphis and county of Shelby, Tenn., filed 4:02 p. m.

REGION VII

Wyoming Order 44, Amendment 1, covering community food prices in certain counties in Wyoming, filed 3:56 p. m.

Wyoming Order 45, Amendment 1, covering community food prices in the Casper area, filed 3:56 p. m.

Wyoming Order 46, Amendment 1, covering community food prices in the Cheyenne-Laramie area, filed 3:55 p. m.

REGION VIII

Sacramento Order 1-B, covering dry groceries in the Sacramento, Calif., area, filed 3:56 p. m.

Sacramento Order 18 under Basic Order 1-B, covering dry groceries in the Sacramento, Calif., area, filed 3:56 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-2625; Filed, Feb. 16, 1945; 11:45 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register, February 13, 1945.

REGION I

Concord Order 2-W, covering community food prices in the state of New Hampshire, filed 11:18 a. m.

Concord Order 5-F, Amendment 1, covering fresh fruits and vegetables in the Concord, N. H. area, filed 11:18 a. m.

Concord Order 5-F, Amendment 2, covering fresh fruits and vegetables in the Concord, N. H. area, filed 11:18 a. m.

Concord Order 5-F, Amendment 3, covering fresh fruits and vegetables in the Concord, N. H. area, filed 11:17 a. m.

Concord Order 5-F Amendment 4, covering fresh fruits and vegetables in the Concord, N. H. area, filed 11:17 a. m.

REGION II

Pittsburgh Order 1-F, Amendment 37, covering fresh fruits and vegetables in certain areas in Pennsylvania, filed 11:17 a. m.

Pittsburgh Order 1-F, Amendment 38, covering fresh fruits and vegetables in certain areas in Pennsylvania, filed 11:17 a. m.

Pittsburgh Order 1-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Pennsylvania, filed 11:16 a. m.

REGION IV

Atlanta Order 24-C, Amendment 1, covering poultry prices in the Atlanta area, filed 11:22 a. m.

Atlanta Order 25-C, Amendment 1, covering poultry prices in the Atlanta area, filed 11:21 a. m.

Jackson Order 16, covering community food prices in the Mississippi area, filed 11:22 a. m.

Roanoke Order 4-W, Amendment 2, covering certain dry groceries in the Roanoke area, filed 11:21 a. m.

REGION V

Kansas City Order 1-E, Amendment 1, covering prices for eggs in the Kansas City area, filed 10:58 a. m.

Kansas City Order 2-E, Amendment 1, covering prices for eggs in the Kansas City area, filed 10:58 a. m.

Little Rock Order 1-C, Amendment 4, covering prices for poultry in the State of Arkansas, filed 10:58 a. m.

Little Rock Order 1-E, Amendment 5, covering prices for certain food items in the State of Arkansas, filed 10:57 a. m.

Little Rock Order 2-F, Amendment 43, covering fresh fruits and vegetables in Pulaski County, Ark., filed 11:21 a. m.

Little Rock Order 4-F, Amendment 37, covering fresh fruits and vegetables in Miller County, Ark., filed 11:21 a. m.

Little Rock Order 5-F Amendment 37, covering fresh fruits and vegetables in Garland County, Ark., filed 11:21 a. m.

Little Rock Order 24, Amendment 1, covering certain dry groceries in certain counties in Arkansas, filed 10:57 a. m.

New Orleans Order 27-C, Amendment 2, covering poultry in certain counties in the State of Louisiana, filed 11:14 a. m.

Shreveport Order 2-F, Amendment 49, covering fresh fruits and vegetables in the Shreveport area, filed 10:57 a. m.

Shreveport Order 3-F, Amendment 38, covering fresh fruits and vegetables in the Shreveport area, filed 10:56 a. m.

Shreveport Order 4-W, Amendment 1, covering certain dry groceries in the Shreveport area, filed 10:57 a. m.

Shreveport Order G-16, Amendment 2, covering certain dry groceries in the Shreveport area, filed 10:57 a. m.

REGION VI

Chicago Order 1-C, Amendment 1, covering poultry in certain counties in the State of Illinois and Indiana, filed 10:55 a. m.

Milwaukee Order 2-W, Amendment 1, covering dry groceries in the State of Wisconsin, filed 10:55 a. m.

Moline Order 3-W, Amendment 4, covering dry groceries in certain areas in the State of Illinois and Iowa, filed 11:20 a. m.

Moline Order 4-W, Amendment 4, covering dry groceries in certain counties in the States of Iowa and Illinois, filed 11:21 a. m.

Moline Order 38, Amendment 4, covering dry groceries in certain counties in the States of Iowa and Illinois, filed 11:20 a. m.

Moline Order 39, Amendment 5, covering dry groceries in certain counties in Iowa and Illinois, filed 11:18 a. m.

Sioux Falls Order 5-W, Amendment 1, covering dry groceries in certain counties in South Dakota, filed 10:55 a. m.

Sioux Falls Order 17, Amendment 1, covering dry groceries in certain counties in South Dakota, filed 10:56 a. m.

Sioux Falls Order 17, Amendment 2, covering dry groceries in certain counties in South Dakota, filed 10:56 a. m.

REGION VIII

Seattle Order 8-F, Amendment 12, covering fresh fruits and vegetables in Everett, Wash., filed 11:14 a. m.

Seattle Order 10-F Amendment 11, covering fresh fruits and vegetables in the Bellingham, Wash., area, filed 11:15 a. m.

Seattle Order 13-F, Amendment 13, covering fresh fruits and vegetables in the Centralia-Chehalis, Wash., area, filed 11:15 a. m.

Seattle Order 14-F, Amendment 11, covering fresh fruits and vegetables in the Wenatchee, Wash., area, filed 11:14 a. m.

Seattle Order 15-F, Amendment 12, covering fresh fruits and vegetables in the Yakima, Wash., area, filed 11:15 a. m.

Spokane Order 9-F, Amendment 1, covering fresh fruits and vegetables in the Kootenai County, Idaho, area, filed 11:16 a. m.

Spokane Order 11-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Idaho and Washington, filed 11:16 a. m.

Spokane Order 12-F, covering fresh fruits and vegetables in certain areas in Idaho and Washington, filed 11:16 a. m.

Spokane Order 14-F, Amendment 1, covering fresh fruits and vegetables in Benton and Franklin Counties, Wash., filed 11:15 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-2624; Filed, Feb. 16, 1945; 11:45 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register February 14, 1945.

REGION I

Concord Order 2-O, covering prices for eggs in the State of New Hampshire, filed 4:21 p. m.

REGION II

Altoona Order 2-F Amendment 5, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 4:22 p. m.

Buffalo Order 2-F, Amendment 41, covering fresh fruits and vegetables in certain areas in New York, filed 4:04 p. m.

Camden Order P-2, Amendment 2, covering fresh fish and seafood in the Camden area, filed 4:11 p. m.

Camden Order P-1, Amendment 7, covering fresh fish and seafood in the Camden area, filed 4:11 p. m.

Camden Order 3-F, Amendment 15, covering fresh fruits and vegetables in certain counties in New Jersey, filed 4:12 p. m.

Camden Order 4-F, Amendment 15, covering fresh fruits and vegetables in certain counties in New Jersey, filed 4:12 p. m.

Erie Order 17, Amendment 1, covering certain dry groceries in certain areas in the Erie area, filed 4:04 p. m.

Erie Order 18, Amendment 1, covering certain dry groceries in the Erie area, filed 4:03 p. m.

New York Order 1-F, Amendment 45, covering fresh fruits and vegetables in certain areas in the city of New York, filed 4:13 p. m.

New York Order 3-C, Amendment 2, covering poultry in certain areas in New York, filed 4:09 p. m.

New York Order 3-F, Amendment 32, covering fresh fruits and vegetables in certain cities in New York, filed 4:13 p. m.

New York Order 6-F, Amendment 27, covering fresh fruits and vegetables in certain counties in New York, filed 4:13 p. m.

Philadelphia Order 6-F Amendment 10, covering fresh fruits and vegetables in Philadelphia, Pa., filed 4:11 p. m.

Philadelphia Order 7-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 4:11 p. m.

Philadelphia Order 8-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 4:11 p. m.

REGION IV

Atlanta Order 1-F Amendment 28, covering fresh fruits and vegetables in Bibb County, Ga., filed 4:19 p. m.

Atlanta Order 1-F, Amendment 29, covering fresh fruits and vegetables in Bibb County, Ga., filed 4:19 p. m.

Atlanta Order 4-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Georgia, filed 4:17 p. m.

Atlanta Order 5-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Georgia and Alabama, filed 4:19 p. m.

Atlanta Order 5-F, Amendment 26, covering fresh fruits and vegetables in certain

counties in Georgia and Alabama, filed 4:18 p. m.

Atlanta Order 6-F, Amendment 23, covering fresh fruits and vegetables in the Atlanta-Decatur area, filed 4:14 p. m.

Atlanta Order 6-F, Amendment 24, covering fresh fruits and vegetables in the Atlanta-Decatur area, filed 4:18 p. m.

Montgomery Order 20-F, Amendment 11, covering fresh fruits and vegetables in Mobile County, Ala., filed 4:00 p. m.

Montgomery Order 21-F, Amendment 14, covering fresh fruits and vegetables in Montgomery County, Ala., filed 4:00 p. m.

Montgomery Order 22-F, Amendment 15, covering fresh fruits and vegetables in Houston County, Ala., filed 4:00 p. m.

Montgomery Order 24-F, Amendment 13, covering fresh fruits and vegetables in Dallas County, Ala., filed 3:59 p. m.

REGION VI

Springfield Order 43, Amendment 1, covering poultry in certain counties in the State of Illinois, filed 3:58 p. m.

Springfield Order 44, Amendment 1, covering poultry in certain counties in the State of Illinois, filed 3:58 p. m.

Springfield Order 45, Amendment 1, covering poultry in certain counties in the State of Illinois, filed 3:58 p. m.

Springfield Order 46, Amendment 1, covering poultry in certain counties in the State of Illinois, filed 3:58 p. m.

Springfield Order 47, Amendment 1, covering poultry in certain counties in the State of Illinois, filed 3:58 p. m.

Springfield Order 48, Amendment 1, covering poultry in certain counties in the State of Illinois, filed 3:58 p. m.

Springfield Order 43, covering poultry in certain counties in the State of Illinois, filed 3:59 p. m.

Springfield Order 44, covering poultry in certain counties in the State of Illinois, filed 3:59 p. m.

Springfield Order 45, covering poultry in certain counties in the State of Illinois, filed 3:59 p. m.

Springfield Order 46, covering poultry in certain counties in the State of Illinois, filed 3:59 p. m.

Springfield Order 47, covering poultry in certain counties in the State of Illinois, filed 3:59 p. m.

Springfield Order 48, covering poultry in certain counties in the State of Illinois, filed 3:59 p. m.

Springfield Order 48, Amendment 1, covering poultry in certain counties in the State of Illinois, filed 3:58 p. m.

Springfield Order 49, covering certain dry groceries in certain counties in the State of Illinois, filed 3:59 p. m.

REGION VIII

Phoenix Order 1-F, Amendment 6, covering fresh fruits and vegetables in the Tucson area, filed 4:04 p. m.

Sacramento Order O-1, Amendment 3, covering eggs in certain counties in the State of California, filed 3:57 p. m.

Sacramento Order O-2, Amendment 3, covering eggs in certain counties in the State of California, filed 3:57 p. m.

Sacramento Order 21-C, under 6-B, covering poultry in certain areas in the State of California, filed 3:53 p. m.

Sacramento Order 22-C under Basic Order 6-B, covering poultry in certain areas in the State of California, filed 3:57 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-2605; Filed, Feb. 15, 1945; 4:26 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1027]

GENERAL GAS & ELECTRIC CORPORATION NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of February, 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Gas & Electric Corporation, a registered holding company;

All interested persons are referred to the said filing which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

General Gas & Electric Corporation, a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, proposes to declare and pay out of capital or unearned surplus a quarterly dividend on its \$5 Prior Preferred Stock for the quarterly period ending March 15, 1945. As proposed, the amount of the dividend on the 60,000 outstanding shares of such stock will be \$75,000, of which approximately \$40,125 will be paid to the public holders of 32,110.9 shares. It is stated that as to the remaining 27,889.1 shares outstanding, held by the Trustees of Associated Gas and Electric Corporation, said Trustees have waived their right to the receipt, at this time, of such dividends as may otherwise be payable to them.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter:

It is ordered, That a hearing on such matter under the applicable provisions of said act and the rules of the Commission promulgated thereunder be held on February 26, 1945, at 10:00 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before February 23, 1945, his request or application there-

for, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed declaration and payment of the current quarterly dividend out of the capital or unearned surplus of General Gas & Electric Corporation is appropriate in the public interest and the interest of investors;

2. Whether the action proposed to be taken complies with the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder;

3. What terms or conditions, if any, should be imposed in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-2616; Filed, Feb. 16, 1945; 11:03 a. m.]

[File No. 811-163]

EQUITABLE INVESTMENT CORPORATION OF MASSACHUSETTS

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of February, A. D., 1945.

An application having been filed by Equitable Investment Corporation of Massachusetts, pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on February 26, 1945, at 10:00 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-2615; Filed, Feb. 16, 1945; 11:03 a. m.]

WAR FOOD ADMINISTRATION.

DIRECTOR OF SUPPLY, COMMODITY CREDIT CORPORATION

DELEGATION OF AUTHORITY TO REQUISITION OF PROPERTY

By virtue of the authority vested in the War Food Administrator by Executive Order 9280 of December 5, 1942 (7 F.R. 10179) and Executive Order 9322 of March 26, 1943 (8 F.R. 3807) as amended by Executive Order 9334 of April 19, 1943 (8 F.R. 5423) and Executive Order 9392 of October 28, 1943 (8 F.R. 14783) I, Marvin Jones, War Food Administrator, hereby delegate to the Director of Supply, Commodity Credit Corporation, authority to requisition property pursuant to the Act of October 10, 1940, as amended, and the Act of October 16, 1941, as amended; and authority to exercise all powers exercisable by the Requisitioning Authority under War Food Order 84 (8 F.R. 8046, 9 F.R. 4321, 4319) and the powers derived from Executive Order 8942, as amended, and vested in me by Executive Order 9334, and by the regulations under the requisitioning acts issued by the War Production Board on July 24, 1942 (7 F.R. 5746) as amended, except that the said Director of Supply shall not have the power or authority to requisition and dispose of idle farm machinery. The authority to requisition and dispose of idle farm machinery, having previously been delegated to the chairmen of State Agricultural Conservation Committees (9 F.R. 6384) and such delegation of authority having expired at midnight December 31, 1944, is reserved in the War Food Administrator until otherwise ordered. The said Director of Supply is authorized to delegate any and all of the functions, responsibilities, powers, authority, or discretions hereby conferred upon him to such persons within the War Food Administration as he may designate or appoint.

The delegation of authority issued August 12, 1943 (8 F.R. 11419) is hereby revoked.

This delegation of authority shall be effective as of 12:01 a. m., e.-w. t., February 16, 1945.

Issued this 16th day of February 1945.

MARVIN JONES,
War Food Administrator

[F. R. Doc. 45-2617; Filed, February 16, 1945; 11:18 a. m.]

*WAR MANPOWER COMMISSION.

CHEYENNE, WYO., AREA

MINIMUM WARTIME WORKWEEK

By virtue of the authority vested in me as Regional Manpower Director of Region No. XI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Cheyenne, Wyoming, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Cheyenne, Wyoming, Area shall include: Laramie County—all.

II. The effective date of this designation is March 3, 1943.

III. Not later than the effective date, such employer in the Cheyenne, Wyoming, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: February 3, 1943.

JOHN E. GROSS,
Regional Director.

[F. R. Doc. 45-2611; Filed, Feb. 16, 1945; 10:15 a. m.]

OGDEN, UTAH, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Ogden, Utah, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Ogden, Utah, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Ogden, Utah, Area shall include: North Davis County—Precincts of Clearfield, Clinton, Kaysville, Layton, Syracuse, West Point, South Weber; Weber County—all.

II. The effective date of this designation is March 3, 1943.

III. Not later than the effective date, each employer in the Ogden, Utah, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: February 3, 1943.

JOHN E. GROSS,
Regional Director

[F. R. Doc. 45-2612; Filed, Feb. 16, 1945; 10:15 a. m.]